THE Nation.

OBAMA JUSTICE
Scott Horton

THE RUINS OF CAPITALISM
Alexander Cockburn

GROSSMAN'S WAY
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IRAQ TODAY

MARCH 9, 2009
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Letters

Nonbelievers! Amen!

Los Angeles
I was overjoyed to see Victor Navasky, in "Seeking Obama's Center" [Feb. 9], referring to President Obama's identification of "nonbelievers" as one of the valid categories of Americans (along with Christians, Muslims, Jews and Hindus) in his inaugural address. As startling as this assertion was, I have noted it referred to only once since the inauguration, and that was an offhand remark on TV. This is the first time of which I am aware that anyone in any US administration has extended American citizenship to include "nonbelievers." This is at least as important as giving the vote to women or electing an African-American as president.
Lawrence R. Freedman

The Nation: The Old Dope Peddler

New York City
Tobacco ads like the one *The Nation* published in a prominent centerfold in the February 9 promote addiction and lead to personal and family suffering, premature death and higher healthcare costs for society. Your ad policy, which states that you're willing to accept ads with repugnant "views," ignores the real issue. Promoting addiction to tobacco is not a "view" to agree or disagree with. It falls under the part of your ad policy on "purveying harmful products." This ad is hawking a proven dangerous product in order to make profits. *The Nation*, as publisher of it, is the enabler/promoter of such a product, for its own financial reasons.

It is disingenuous and a spurious argument to write that your readers are knowledgeable enough to judge for themselves. Youngsters are not, and you vigorously promote *The Nation* to high school and college students and ask your readers for donations to help you do this. Students are prime tobacco ad targets. Those youngsters, and vulnerable adults as well, can readily be taken in by the adroit pushing of "organic" tobacco, good taste, menthol and a $20 gift certificate, enhanced by *The Nation*'s good reputation for straight talk and pro-consumer policies. Youngsters are least likely to realize or be concerned that tobacco kills and is addicting. Advertising that reaches young people is the most efficient way for tobacco companies to create lifelong addicts.

You're taking these ads for the money. It's unprincipled. You can and should stop before it becomes addictive.
Rhoda Karpatkin, *president emeritus Consumers Union*

Keene, N.H.
Does organic tobacco lead to organic cancer? Is organic cancer better for you than, oh, nonorganic cancer? Do you die faster from organic cancer, or does organic cancer prolong the dying? Just wondering…
Cyndy Chase

San Francisco
Perhaps you could run ads for firearms. I'm sure you can find manufacturers who make natural guns with organic bullets. At least they would promote fewer deaths than cigarette ads.
Bob Prentice

The Editors Reply

We are proud that *The Nation* was among the first magazines to expose the insidious effects of smoking. And our reporters have continued to investigate the tobacco industry. It should be clear that a tobacco ad in *The Nation* is not an endorsement of smoking, nor does such an ad influence our editorial content.

Over the years, we have had many reader objections to advertisements in our pages. Often, we agreed with readers and profoundly disagreed with these ads. That is why we worked long and hard to come up with an advertising policy (thenation.com/mediakit/policy) that reflects our principles *and* the realities of our business. As that policy explains, "Although the relationship of the First Amendment to

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Bipartisan Bust

Saturday Night Live recently parodied Republicans in Congress as clueless chumps who delight in their "complete political irrelevance" and argue over whether Sean Hannity or Rush Limbaugh is the smartest man in America. Trust the satirists to get what the pundits did not. During the debate over the stimulus bill, the commentariat repeatedly argued that Barack Obama was losing the spin war; and Republican members of Congress outnumbered their Democratic counterparts by nearly two to one on cable news. But out in the real world, 67 percent of the public approved of the way Obama was handling the package, and 58 percent disapproved of Republicans in Congress. Six in ten Americans supported the stimulus, including more than one in four Republicans (as well as a cohort of Republican governors). By that measure, more than fifty Congressional Republicans should have supported the stimulus bill. Instead, only three voted aye—Susan Collins and Olympia Snowe of Maine and Arlen Specter of Pennsylvania. The GOP nearly unanimously chose to be the party of No.

EDITORIAL

It wasn't for lack of courtship by Obama. To win GOP backing, the president visited Republicans on Capitol Hill, invited them over for beers at the White House and nominated a conservative and fiscal hawk as his commerce secretary. He loaded up the stimulus bill with unnecessary tax cuts and consented when a group of so-called centrists slashed spending for schools, food stamps, rural broadband and aid to struggling states, reducing the overall spending package to $507 billion. What did Obama get in return? A bunch of no votes, a lot of complaining and a graceless exit by Judd Gregg, who abruptly resigned as commerce secretary designee without giving the White House a proper heads-up; he then promptly voted against the stimulus bill.

The truth is that the GOP in Congress is much smaller, more conservative and more geographically homogeneous than it was even two years ago. There is not a single Republican from New England left in the House. Moderate Republicans are a virtual oxymoron; those who remain—like the three who voted for the stimulus—are tarred by their fellow party members as Benedict Arnolds. The rest of the Republicans in Congress represent primarily red states and red districts and can indulge in opposition at all costs.

The Obama team says it has learned an important early lesson from all this. White House chief of staff Rahm Emanuel admitted that "there's an insatiable appetite for the notion of bipartisanship here, and we allowed that to get ahead of ourselves." Or as Obama's senior adviser David Axelrod put it, "There's a different conversation in this town often than what's going on in the country."

And so Obama went back on the trail, making the case for the stimulus in Elkhart, Indiana, where unemployment rates recently hit 15 percent. And he unveiled his mortgage relief plan in Mesa, Arizona, where more than half the homes for sale are in foreclosure. Taking the conversation about the economy outside Washington isn't just good political theater; it's good politics. As we've seen in the debate over the stimulus, the most compelling case for a broad and fair economic recovery won't come from inside the Beltway but from the country as a whole.

In November, Americans didn't vote for Gregg as commerce secretary or for more huge tax cuts for the super wealthy. They voted for good jobs, universal healthcare, energy independence and an end to the war in Iraq. For Obama to claim this mandate and enact a broader recovery plan, it will take a vocal public push.

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NEWS & ANALYSIS

William Greider: Labor's man at Treasury

Leslie Savan: *Morning Joe*, behind the curve

The Short of It: Pinter's legacy

The Nation's Oscars

THE ARCHIVIST

Jeff Kisseloff's blog debuts

VIDEO NATION

Don't loot Social Security

TELL THE NATION

Your stories of the recession

COP on the Beat

100 DAYS

In March 2007, five months before the first tremors of acute financial panic, Harvard bankruptcy law professor Elizabeth Warren gave a lecture at Berkeley titled "The Coming Collapse of the Middle Class."

Warren is one of a very small circle of experts who, during the boom years, accurately diagnosed the frailty of American finance capitalism. In scholarly articles, blog posts and several widely praised books, she has focused on the ways post-1970s wage stagnation has squeezed the middle class, leading to a drop in savings, a massive spike in consumer debt and more hours of labor spent to purchase core middle-class goods like healthcare and housing. The cumulative effect of these changes, as she argued in her talk at Berkeley, is families taking on far more risk than those of a generation earlier, and an economy skating on very thin ice.

Fast-forward eighteen months to the frenzied, panicked week in September after the fall of Lehman Brothers, when Henry Paulson sent his original three-page TARP proposal to Congress with the notoriously tone-deaf provision that Treasury's decisions would be "non-reviewable…by any court of law or any administrative agency." The provision was nearly unanimously panned, and the final Emergency Economic Stabilization Act stipulated several oversight mechanisms, including the creation of a five-member Congressional Oversight Panel. Appointed by leaders in Congress from both parties, the COP was given the task of reporting every thirty days on the program's effectiveness, transparency and protection of taxpayers.

Somewhat amazingly, Senate majority leader Harry Reid chose Elizabeth Warren to chair the COP. "I asked Harry Reid if he was really sure he wanted me to do this," Warren told me in a recent phone interview. "And he said, 'Yes, I expect you'll bring your consumer perspective.' I didn't come into this beholden to anybody, and I'm not looking for a job coming out on the other side. That means I say what I think is right." (Reid's office confirmed this account.)

COP's oversight mandate is, in the words of its spokesman Caleb Weaver, to ask the "fundamental questions" about the Treasury's strategy of doling out the funds. Although the panel has statutory authority to obtain documents from the government, it has no subpoena power. It has a staff of only eleven and, remarkably, no fixed line-item budget. I asked Weaver what the COP's budget was. "That's not clear," he said. "I know that doesn't come off well."

On top of that, the panel got a late start. By the time House minority leader John Boehner got around to appointing Representative Jeb Hensarling on November 19—giving the panel the requisite quorum—it had only eight days to produce its first report.

And yet somehow the COP has managed to raise a considerable ruckus. Meeting at least once a week, the panel (which includes Warren, Hensarling, former Republican Senator John Sununu, AFL-CIO associate counsel Damon Silvers and Richard Neiman, superintendent of banks for the New York State banking department) has churned out four rigorous, detailed reports.

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Noted.

REMEMBERING BENDINER: **Robert Bendiner**, who was managing editor of *The Nation* from 1937 to 1944, died February 7 at the good age of 99. After a stint at *The New Masses*, he joined *The Nation* in 1937, which was then in the throes of some of its most economically and politically fraught years, shaken by the Depression, with the left riven by the great intervention debate. He could later say, "Grim as things were, there was an exhilaration, often a gaiety, sometimes even a giddiness in the offices of *The Nation* that wholly belied the times." His daughter, **Peggy Margoshes**, called him "very witty, an optimist" who loved the **Marx Brothers** and sought to infuse humor into *The Nation*.

After service in World War II, Bendiner returned to the magazine as an associate editor. Disagreeing with editor **Freda Kirchwey**'s editorial policies, which he considered too soft on the Soviets, he resigned in 1950. Later, he and his friend theologian **Reinhold Niebuhr** asked that their names be taken off the masthead amid the imbroglio over former art critic **Clement Greenberg**'s calling foreign editor **J. Alvarez del Vayo** a Stalinist tool. In 1956 Bendiner became a contributing editor for *The Reporter*, and in 1968 he joined the editorial board of the *New York Times*. A liberal Democrat, he wrote campaign speeches for **Hubert Humphrey**. He remained politically involved to the end, rejoicing in Obama's election while in the hospital, his daughter said. RICHARD LINGEMAN

BURRIS TSURIS: Former Illinois Governor **Rod Blagojevich** may have been impeached, but his alleged attempt to auction off **Barack Obama**'s Senate seat to the highest bidder is the scandal that keeps on giving. Now it turns out that Blago's appointee, **Roland Burris**, talked with key associates of the governor about his interest in the seat and that—at the request of gubernatorial brother **Robert Blagojevich**—he mounted a fundraising drive for the man who would make him a senator. Burris appears to have recalled these salient details only after a visit from federal investigators who may have some of the discussions on tape. Yikes!

With Burris defenders peddling the line that he was "simply negligent and had a failing memory," the senator faces inquiries by the Illinois attorney general and the Senate Ethics Committee, as well as calls for his resignation. But the fundamental problem is not with Burris. It is with a system that allows governors to appoint senators to fill vacancies—a process that Senator **Russ Feingold** notes has generated a steady stream of controversy in recent weeks, not just in Illinois but in New York, Delaware and New Hampshire. "This is not the way to build confidence in government," gibes Feingold, whose proposal to amend the Constitution to require that all senators be elected—as is the case with House members—has generated bipartisan backing (including a co-sponsorship from **John McCain**). Yet to sign on as co-sponsors: Burris and the other three senators appointed since November. JOHN NICHOLS

LESS SUMMERS, MORE BLOOM: Those nervous about **Barack Obama**'s plans to rescue the banking system just got a kernel of good news they probably did not recognize. **Ron Bloom** of the **Steelworkers Union**, a brainy veteran of investment banking, has been asked to join the insiders—advising Treasury officials on the auto industry bailout. If **Tim Geithner** and **Larry Summers** will listen to Bloom, he might steer them away from disastrous errors. Bloom has the sophistication of a Wall Street financier but the head and heart of a labor guy. He knows how to "run the numbers" and close the deal, techniques he learned at **Lazard Frères**. When he left the world of capital, however, he went to organized labor. Bloom steers capital strategies for the Steelworkers and advises **Leo Gerard**, the union's heads-up president. The Steelworkers have been aggressively using their financial power—the invested capital of pension funds—to force reform and worker-friendly policies on the corporate world. It takes smart strategies and hard-nosed negotiating to prevail in these tough fights. Bloom and Gerard have developed a reputation for both.

In the current financial fiasco, Bloom has been among the outsiders bombarding government with closely reasoned critiques. When **Henry Paulson** was handing out tens of billions to troubled banks and investment houses, Bloom called him on it. The terms of these deals were so lopsided, he explained, they amounted to a great gift from the taxpayers. The Treasury ostensibly purchased bank stocks in the largest financial firms but at prices deliberately inflated. We, the people, paid $125 billion for shares that a private investor could have purchased for $62.5 billion. The Steelworkers' accusation was subsequently confirmed by others, though the precise numbers varied. The public needs someone like this on the inside, sitting at the table with administration officials but armed with a calculator and an independent mind. Let's hope they listen to Bloom. WILLIAM GREIDER

HAMPSHIRE DIVESTS: On February 7 the trustees of **Hampshire College** voted to divest from more than 200 companies that violate its social investment policies, including six—**Motorola**, **Caterpillar**, **United Technologies**, **GE**, **ITT** and **Terex**—that profit from the Israeli occupation of Palestine. The college's official statement couches the decision in the language of social responsibility, citing "unfair labor practices" and "environmental abuse." But the action is an undeniable victory for **Students for Justice in Palestine**, which waged a two-year divestment campaign. It was SJP members who organized screenings and talks and staged mock checkpoints, collecting more than 800 signatures from students and faculty in the process. SJP members elected to the board of trustees researched the school's investment portfolio and made the case for divestment to the investment committee. It is precisely this activism that **Alan Dershowitz** is targeting with his retaliatory Hampshire-divestment scheme. "What they [Hampshire administrators] have to do is make it impossible for the students to plausibly be able to declare victory," Dershowitz said. But SJP has already received kudos from around the world, including from **Desmond Tutu**. And **Matan Cohen**, an Israeli, Hampshire sophomore and SJP leader, has received inquiries from students at Oberlin, Harvard, Columbia and the universities of Texas, California, Wisconsin and Michigan about SJP's winning ways. RICHARD KIM

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The first asked a series of pointed questions about Treasury's strategy and the rationale for its approach. Paulson replied, but "he answered our questions by cutting and pasting from earlier speeches," Warren says. "I think he just assumed he'd mumble around, we'd mumble around and that would be the end of oversight." Instead, in the second report the COP "put together a grid that listed every question we asked, quoted his answer and called him out every time he didn't answer our specific question."

The panel's latest report created the most headlines. (It was also the first unanimous one, in which Hensarling did not dissent. His office did not return a request for an interview.) Using publicly accessible information, the COP attempted to ascertain the market value of the assets Treasury has purchased. Describing the letter Paulson originally sent to the COP, Warren said, "These 'investments,' as he called them, 'were at or near par.' That's a direct quote. That means for every $100 invested, the taxpayers get $100 back in stock and warrants. It was perfectly clear that this was not true, and it was not true *not* because the market fell afterwards. It was not true on the date of the transaction."

Indeed, the report found that Treasury has already overpaid by a staggering $78 billion, or almost a third of the money it had spent at the time of the report. "They described a transaction to do one thing," Warren says, "and it was designed from its inception to do something very different." She doesn't say what that "something" is, but it's clear: subsidize the banks' losses.

So what now? Charged with oversight, not with crafting policy, Warren is insistent on not offering substantive suggestions for how the new administration should handle the TARP funds. But given that she's a bankruptcy law professor, I pressed her on the policy options on the table and asked her to describe what a version of bankruptcy for some of the troubled banks might look like.

"Here's how it would work in a Chapter 11 if this were any other industry: all the equity would be wiped out, then the creditors would get a percentage on the dollar," she said. "We would totally protect all the deposit accounts, and the rest of the debt would get some combination of stock and pennies on the dollar. The minute that happens, the banks are solvent, and new capital can flow in."

This is more or less what the FDIC has been doing, largely under the media radar, with numerous small, failed banks at an alarming rate of about two a week for the past few months. Of course, that would mean facing up to massive losses in wealth for equity holders of the banks that go under. Those folks tend to have some muscle in Washington, and their hope is essentially to get the government to take the losses for them. Worrisomely, their interests seem to have been taken to heart by Treasury Secretary Tim Geithner and President Obama's top economic adviser, Larry Summers, who appear to be doing their damnedest to avoid any resolution of the crisis that involves banks owning up to their losses.

"Someone said to me, You're describing ripping the Band-Aid off all at once, and we're saying how 'bout we just keep peeling the corners off a little at a time—ouchy, ouchy, ouchy—and maybe we can adjust as we go along," Warren tells me. "Sweden ripped the Band-Aid off all at once, and Japan took ten years. But the Band-Aid had to come off."

"Who are we trying to protect here?" she asks. "Is it a banking system that is in service to American families and the economy, or is it the American families and the economy in service to a banking system? I know what I think the answer should be."

CHRISTOPHER HAYES

Calvin Trillin, Deadline Poet

Poor Judd Is Out

(The dirge from Oklahoma! *adapted for a new musical called* New Hampshire!*)*

Poor Judd is out.
Poor Judd Gregg is out.
He told Barack that he could not take part
In following a lead
With which he disagreed.
It's odd he didn't know that from the start.

Unions, Disunited

At the very moment that organized labor stands a chance to win major gains in Washington—such as passage of the Employee Free Choice Act, the most important labor legislation in decades—its attention is being diverted by escalating conflicts within its ranks. These include not only SEIU's much-publicized showdown with the United Healthcare Workers–West local in California but a bitter fight among the highly regarded leaders of the merged UNITE HERE.

COMMENT

Prospects looked bright in 2004 for the marriage of UNITE, a union of garment and textile workers, and HERE, the Hotel Employees and Restaurant Employees union. Globalization was wiping out much of UNITE's terrain, but the union had money in the bank (and even an actual bank, Amalgamated), with assets of $300 million to $500 million. On the other hand, HERE's industries—hotels, gambling, food—were growing fast, but despite having more members, the union had less than a tenth of UNITE's wealth.

Both unions and their well-educated leaders had reputations as tenacious organizers—Bruce Raynor of UNITE in the South and John Wilhelm of HERE in New Haven and Las Vegas. Starting with fewer than 400,000 members, UNITE HERE hoped to demonstrate how unions could organize on a big scale. But now the two leaders and the union are fiercely divided, with Raynor's UNITE faction denouncing the merger as failed and even suing to get out of it. Raynor's group seems likely to try a different merger, with the nearly 2 million–member SEIU.

UNITE and HERE merged as equals, with general president Raynor sharing extensive decision-making power with Wilhelm,

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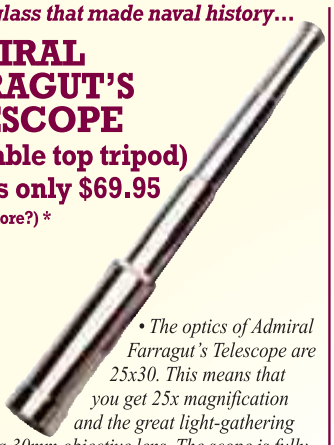

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When Admiral Farragut ("Damn the torpedoes; full speed ahead!") fought his legendary naval battles he used a telescope just like this to monitor the movements of the enemies' fleets. This beautiful optical instrument, a faithful replica of the famous original (except that Admiral Farragut's was made of brass – ours is fully chromed over its pure brass body), is about 5" long in its collapsed position and 13" when extended to full operating length.

Enlargement is 25x, which means that it brings everything 25-times closer, and in needle-sharp focus, than if viewed with the unaided eye. Compare that to binoculars, which usually give you not more than 6x or perhaps 8x magnification. ADMIRAL FARRAGUT'S TELESCOPE comes with a belt-loop vinyl carrying case. There is also a table-top tripod for extended observations. This beautiful instrument is something you always wanted but thought you couldn't afford. It is a small luxury that you will really enjoy and that will give you wonderful service for many years. It is now available from us at a most affordable price.

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president of the hospitality division. Raynor's constitutional authority gave the old, smaller, richer UNITE a check on HERE's larger numbers. Also, there was much speculation that Wilhelm would run for AFL-CIO president in 2005 (or even retire). But as it turned out, UNITE HERE joined the unions that split from the AFL-CIO in 2005, forming the rival Change to Win coalition, and Wilhelm remained in office.

The merger has turned out to be a "huge disappointment," Raynor says. Both leaders set greater gains in organizing as the test of the merger's success. But after a strong first year, the merged union has organized fewer members each year than the two unions organized in four of the five pre-merger years, despite spending more. Raynor says he was upset that Wilhelm's national Hotel Workers Rising campaign two years ago focused on "getting more for existing workers and not organizing."

UNITE leaders like Midwest vice president Noel Beasley, argue that the cultures of the merged organizations clashed: UNITE was centralized with a large national headquarters; Wilhelm linked HERE's decentralized collection of local unions. Unlike UNITE, Beasley said, HERE "organized with the velocity of a glacier." Now, Raynor says, in language reflecting the intensity of the fight, the HERE faction is imposing a "tyranny of the majority" to "hijack the rights of our members and millions of dollars in assets created by generations of Jewish, Italian and Latino immigrant workers and steal them in the dark of night."

Since December Wilhelm has led a majority on the union's executive bodies—nearly along the original union identities—to overrule Raynor, oppose a breakup and set policy (unconstitutionally, Raynor says). "I believe the merger has been extremely successful for workers," says Wilhelm. "There's only one problem with the merger—and I say this in sadness—and it is that Bruce insists on dictatorship. Bruce has no use for democracy at the local level and said he can sit in New York City and make decisions for the whole union. If we're going to be strong, we've got to be a bottom-up union with strong locals."

Wilhelm contends that hotel and food service organizing has gone well, but gaming industry organizing has temporarily fallen. HERE organizers do insist on building strong committees of workers, Wilhelm says, but UNITE has likewise spent many years, even decades, organizing at corporations like Cintas and J.P. Stevens. Chicago-based vice president Henry Tamarin says such committees of supporters are needed not only to win recognition and good contracts but to protect majority sign-up (or card-check) recognition against employers who exploit new rights to challenge union recognition.

Relations between the two factions deteriorated last year. Efforts to resolve the conflict failed, and new grievances developed. Starting in December each side tried to take control of local unions from the other. For the HERE group, one turning point came this past summer when it claims Raynor ignored its suggestions and, as part of a joint campaign with SEIU, negotiated an agreement on organizing rights for food service workers at the giant Aramark Corporation that was unnecessarily weak. The conflict partly turns on a central labor movement question of finding the balance between new organizing and raising standards for union members.

The debate on how unions can best grow is also one of the key issues in the conflicts between SEIU's international leaders and its highly successful 150,000-member Healthcare West local, as well as between SEIU and the California Nurses Association. After SEIU put UHW in trusteeship in late January, the local's leaders launched a new union and quickly gathered petitions to decertify SEIU for more than 25,000 workers. In February CNA accused SEIU of interfering in its internal elections. SEIU has also entered merger negotiations with the Raynor faction, leading some in UNITE HERE to complain that SEIU is trying to dissolve the merger for its own gain.

There are clearly some problems with the UNITE HERE merger, or at least the two presidents' relationship. Even in success stories, notes Clark University professor Gary Chaison, "mergers seldom solve the problems they were created for." In this bare-knuckle internal fight—partly a struggle for power, partly a battle over strategy—neither side is beyond reproach for its tactics.

Raynor insists, "There will be a divide, voluntary or forcible." Wilhelm is pushing constitutional reforms for a summer convention of the merged unions. But mediated talks about how to divide the union and its assets are also reportedly under way. In any scenario, new organizing will likely suffer for a while. But whatever form UNITE HERE takes, its members deserve an organization with vigorous democracy and effective leaders, one that can simultaneously grow rapidly and improve their lives. American workers also need a labor movement not so distracted by its internal battles that it loses a historic opportunity for political and organizational gains. DAVID MOBERG

David Moberg, senior editor at In These Times, *writes frequently on labor.*

Obama's War?

Two decades and two days after the Soviet army withdrew from its disastrous occupation of Afghanistan, it saddens me that we may be heading down the same path. Especially troubling is that President Obama, who wisely ordered a review of US options in that country, has decided to send 17,000 more troops without waiting for the review process to conclude. Although he insisted that "this troop increase does not predetermine the outcome of that strategic review," one has to ask: why not wait for the results, which could recommend taking military escalation off the table in favor of a nonmilitary regional negotiating strategy? Obama's repeated observations that there's no military solution to the Afghan crisis makes this troop increase all the more puzzling.

Escalating the occupation will bleed us of the resources needed for economic recovery, further destabilize Pakistan, open a rift with our European allies and negate our improved image in the Muslim world prompted by our withdrawal from Iraq. Escalation will not increase US security or secure a better future for the Afghan people—indeed, more troops will certainly mean more dead civilians. On the same day Obama announced his escalation, the United Nations reported that Afghan civilian deaths—many of them at the hands of US forces, especially from airstrikes—increased by 40 percent last year.

Up to this point, the Afghan war belonged to George W. Bush, but Obama's escalation threatens to make it his own. There's still time to change direction. President Obama, don't make this your war! KATRINA VANDEN HEUVEL

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Alexander Cockburn

The Parable of the Shopping Mall

From the aftermath of wars, whether endured as victories or defeats, spring the opportunities for change. The twentieth century is flush with examples, stretching from the Russian Revolution to the creative surge here in America after the rout in Vietnam.

By its nature capitalism is war, and the savage reverses for capitalism, the gaping wounds in its pretensions, are the most salient feature in the world today. Whether in the collapse of the Western banking system, the agonies of post-Soviet economies like the Baltic and some Eastern European republics, or the rubble of Indian neoliberal policies, the economic mantras of an entire generation are going up in smoke. For the left it should be a time of unrivaled opportunity.

Take as an example the shopping mall, which changed the American landscape within the course of a generation. The left, by and large, never much cared for malls. They represented privatized space, the collapse of the public realm and the freedoms—of association and public protest—theoretically protected in public space. Malls, whether in strip or covered form, symbolized the conversion of people from citizens to consumers, the death of Main Street, architecture reduced to utter banality, without even the pizazz that allowed Venturi, Brown and Izenour to write *Learning From Las Vegas* in 1972.

Today, mirroring the distress in the mother ship of capitalism, the retail economy's colonies and settlements are in decay. Consider the Bayshore Mall in my town, Eureka, California—a covered pedestrian arcade opened in the 1980s, owned by the Chicago-based General Growth Properties. Located on the edge of Humboldt Bay, though facing the opposite direction, toward Highway 101, our mall was an optimistic place in the early days. People dressed up to go there. Every pretty girl in Humboldt County wanted to work there, to see and be seen. People drove for three hours through the Yolla Bolly wilderness, all the way from Redding in the Central Valley, to savor its glories. There were stylish concerts in its ample food court.

The Bayshore Mall is in decline, embodying the misfortunes of General Growth—the second-largest mall owner in the United States—whose stock trades for 55 cents, down from $44 last May. Some major retailers, like Polo Ralph Lauren, have long since fled. Walk south along one of the arcades and you come to a wall of plywood, behind which lies the desolation that was Mervyns, a department store chain that has filed for bankruptcy. The little stores nearby have a somber mien, like people compelled to live in the chill shadow of a funeral home. The food court, serviced by six or seven fast food businesses, is becoming a sanctuary for the poor, who buy very small snacks and sit there.

Across the past forty years some 200 cities built pedestrian malls. Today, only thirty remain. Drive around any town and you can see strip malls in similar decline, their parking lots nearly empty, boarded-up stores in the retail frontage like a mouth losing its teeth, as the lights of Circuit City go out and Linens 'n Things, Zales, Ann Taylor and Sharper Image retrench or collapse.

Out of crisis comes opportunity, one that's been discussed for some years by movements like the New Urbanists and crusaders for the refashioning of the American urban landscape such as James Howard Kunstler, author of *The Geography of Nowhere*. A mall can be razed, like the Belle Promenade on the west bank of the Mississippi near New Orleans. Eureka is too poor a town to do that. But a mall can be refashioned into a more congenial *quartier*, albeit one blessed with easier parking.

Today's failed or failing malls can be converted to mixed-use, with residential housing, public spaces and constructive social functions. In the Bayshore Mall even now I see groups of the mentally off-key being brought along for an outing in a place that's sheltered, physically safe and equipped with bathrooms, and that has plenty of space with chairs or benches where they can relax. One can imagine that in many towns energetic councils and resourceful financing could offer the reeling mall operators terms and take the properties off their hands, reconfiguring the malls as social assets.

On the larger economic front, similar reconstructive engineering for the public good is vital, however adamantly Wall Street bankers plus Timothy Geithner, Larry Summers and President Obama may proclaim earnestly that the architecture of "free enterprise" capitalism must be preserved. We're at that stage that Thurman Arnold captured so wittily in his 1937 book *The Folklore of Capitalism*. Arnold described with vivid humor the tenacity with which supporters of untrammeled "private enterprise" held to beliefs whose operating principles had engendered the Great Depression. He likened it to the University of Paris insisting in the seventeenth century that bleeding was still the cure for malaria, even though quinine, promoted by the Jesuits in Peru, seemed to offer a more effective remedy. "The remedy for fever," Arnold wrote, "was the art of bleeding to rid the body of those noxious vapors and humors in the blood which were the root of the illness. Of course, patients sickened and died in the process, but they were dying for a medical principle."

Is there a better description for the Republicans opposing the stimulus plan on principle or Geithner stoutly proclaiming his zeal to preserve the banking system as presently constituted?

Opportunity is there, to be seized from the jaws of capitalism's shattering reverses. This is a chance richer than the opportunity offered and annulled in the mid-'70s. Circumstances will in all likelihood push Obama's government to the left, just as they did to FDR's when orthodoxy failed. The left should not be shy about pressing the challenge out of some misguided notion of preserving a polite progressive consensus. From malls to the economy's commanding heights, let the Reconquest begin. ■

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Katha Pollitt

Freedom of Speech, Round 5,425

Happy Twentieth Anniversary, Salman Rushdie fatwa! Can it be two whole decades since February 14, 1989, the day the Ayatollah Khomeini called upon Muslims to murder the world-renowned novelist and anyone associated with the publication of his supposedly blasphemous novel, *The Satanic Verses*? Many book burnings, riots, firebombings and deaths later—his Japanese translator was murdered, his Italian translator was seriously wounded, thirty-seven Turkish intellectuals perished when their hotel was set on fire in an unsuccessful attempt to kill his Turkish translator—it would be nice to say that the world has learned what happens when freedom of speech and thought is subordinated to religious authority.

In fact, the lesson seems to be the opposite: careful, you might hurt the feelings of the faithful. Oh, and they might kill you. Rushdie's been out of hiding since 1998 without incident, but he is far from alone. Taslima Nasreen, Theo van Gogh and Ayaan Hirsi Ali are only the most famous targets of Islamist rage. We've had the Danish cartoon riots (more than 100 dead); the Berlin Opera Muhammad-head prop flap; Random House's dropping of Sherry Jones's *The Jewel of Medina*, a steamy potboiler about Aisha, Muhammad's child bride (and the burning of the offices of the British publishers who brought it out). Most recently, Dutch MP Geert Wilders was refused entry to Britain, where he had been invited to show his admittedly extremist anti-Islam film *Fitna* to Parliament. Say what you like about Wilders, it's pretty unusual to ban an elected politician from another country.

Here on the American left we tend to see these incidents as gratuitous provocations by insensitive Westerners, and there's something to that. The Danish paper that published cartoons mocking Muhammad had previously rejected ones satirizing Jesus. The problem with that argument is that the same spirit of religious dogmatism backed by violence that shaped the protests against perceived Western insults operates, far more powerfully, in Islamic states—against their own citizens. In Iran and Pakistan, women have been imprisoned for protesting Sharia law. In 2008 Sayed Pervez Kambaksh, a student in Afghanistan, our client state, was sentenced to death for the crime of downloading a report about women's rights. Even in relatively secular Egypt, blogger Reda Abdel-Rahman was jailed and tortured for calling for an Islam that does not include Sharia.

I was reminded of these last two examples by left-wing British journalist Johann Hari, who provoked the wrath of the believers when a column he wrote for the *Independent*, "Why should I respect these oppressive religions?" was reprinted in the Indian newspaper the *Statesman* on February 5. Hari chronicled the decade-long campaign of Islamist theocrats (with the support of the Vatican and Christian fundamentalists) to insulate religion from criticism at the United Nations. This campaign has borne fruit: the UN Council on Human Rights has directed its rapporteur to busy himself not with attacks on freedom of speech but with "abuses of free expression," including "defamation of religions and prophets." Hari pulled no punches: "All people deserve respect, but not all ideas do. I don't respect the idea that a man was born of a virgin, walked on water and rose from the dead. I don't respect the idea that we should follow a 'Prophet' who at the age of 53 had sex with a nine-year-old girl, and ordered the murder of whole villages of Jews because they wouldn't follow him." Hari's column caused—surprise!—violent riots; what is more shocking, and more unusual, is that Indian authorities arrested the editor and the publisher of the paper for "hurting the religious feelings" of Muslims.

When I write about religious extremism I try to spread the blame around. So, let's not forget that just before Valentine's Day male sectarian Hindus assaulted young women in Mangalore for drinking in a pub; the pope welcomed an ultraconservative Holocaust-denying schismatic bishop back into the church and tried to elevate an Austrian priest who held that Hurricane Katrina was God's wrath against gays and abortion in New Orleans; in Israel, some ultra-Orthodox women are now wearing veils; and, of course, here at home we have our creationists and clinic bombers and gun nuts for Christ. It's true that Islamic fundamentalists are the most active and violent attackers of free speech and the most tyrannical enforcers of religious conformity through the organs of the state. But that's because other major religions have lost their control of the state (or never had it) and have had to adapt. In the seventeenth century, when Protestant and Catholic states were laying Europe waste while burning witches, heretics, Jews and the occasional sodomite, no one would have said Christianity was particularly broad-minded.

Appeals to the hurt feelings of religious people are just a dodge to protect the antidemocratic and retrograde policies of religious states and organizations. We're all adults; we have to live with unwelcome expression every day. What's so special about religion that it should be uniquely cocooned? After all, nobody at the UN is suggesting that atheists should be protected from offense—let alone women, gays, leftists or other targets popular with the faithful. What about *our* feelings? How can it be logical to say that women can't point out sexism in the Bible or the Koran but clerics can use those texts to declare women inferior, unclean and in need of male control? And what about all the abuses religions heap on one another as an integral part of their "faith"?

The clerics fight so hard to control speech because they know they are losing minds and hearts. Twenty years after the *Satanic Verses* fatwa, it's more than ever Rushdie's world—globalized, fluid, culturally impure. The fanatics just live there. ■

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IRAQ'S RESURGENT NATIONALISM

by ROBERT DREYFUSS

For the first time in six years, it's possible to see the light at the end of the tunnel in Iraq. Despite all their flaws—and there were many—the January 31 elections in fourteen of Iraq's eighteen provinces ratified the resurgence of secular nationalism. A large majority of voters repudiated the Shiite and Sunni religious parties and the Kurdish separatists. And in so doing, they broke free of the rigid confines of the ethno-sectarian politics that has dominated the Iraqi scene since 2003. The results mean that the Obama administration may soon have to deal with a vastly different cast of characters in Iraq—politicians less willing to tolerate a long-term US presence and firmly opposed to a special relationship between Baghdad and Washington.

Voters ousted unpopular governors and provincial councils controlled by the ruling US-backed alliance in a sweeping throw-the-bums-out election, raising the possibility of a fundamental reordering of politics. Though the elections were limited to the provinces, the results suggest that the national elections scheduled for December may usher in a government that will differ radically from the ruling alliance, many of whose leaders are or represent former exiles installed by US occupation authorities in the aftermath of the 2003 invasion.

Not that Iraq has suddenly become an oasis of democracy. Key political actors on all sides remain bolstered by paramilitary armies. Unemployment is vast, and basic services—electricity, water, trash collection, healthcare—are intermittent or nonexistent. The army and police are infiltrated by militias, and their loyalty is suspect. Baghdad is a bewildering maze of blast walls and sealed-off enclaves surrounding the fortress-like Green Zone, and the city is reeling from years of brutal ethnic cleansing. The provincial capitals are rife with intrigue, and many of them—Kirkuk, Mosul, Baquba and Basra, for instance—are perched at the brink of civil strife. And the elections themselves, in which millions of voters were disenfranchised, were deeply flawed.

But the results show that a new Iraq is struggling to emerge. The United Iraqi Alliance, the all-powerful bloc of Shiite religious parties, is dead and buried, and the key party within the alliance—the Iran-backed, clergy-based Islamic Supreme Council of Iraq (ISCI)—was blown off the electoral map. Another component of the alliance, Prime Minister Nuri Kamal al-Maliki's Islamic Dawa Party, has all but disappeared, while Maliki has morphed into a would-be nationalist, cloaking his fundamentalist sectarian leanings in the guise of a benevolent strongman. The nationalist Sunnis, having boycotted or been shut out of the political process since 2003, came roaring back in four northern provinces. In the process, Sunni-led nationalists, tribal parties, former Baathists and ex-military leaders, the Awakening movement (the anti–Al Qaeda, tribal-based militia movement that emerged in late 2006 in the Sunni heartland and formed a tactical alliance with the US Army) and various secular parties nearly obliterated the Iraqi Islamic Party (IIP), a branch of the fundamentalist Muslim Brotherhood, which had opted to join the ruling Shiite-Kurdish alliance in the government. And the Kurds, who chose not to hold elections in their separatist region in Iraq's north and who blocked a vote in the disputed Kirkuk region, suffered devastating losses in ethnically mixed border provinces where they'd wielded power until now. Separatists who supported the virtual partition of Iraq, such as ISCI and the Kurds, were resoundingly defeated.

"The Iraqi political map has been redrawn," says Raed Jarrar, the Iraq consultant to the American Friends Service Committee. "There's been a significant shift from the sectarian-based politics of 2005 to an electoral map based on people's politics and not their ethnic or religious identity."

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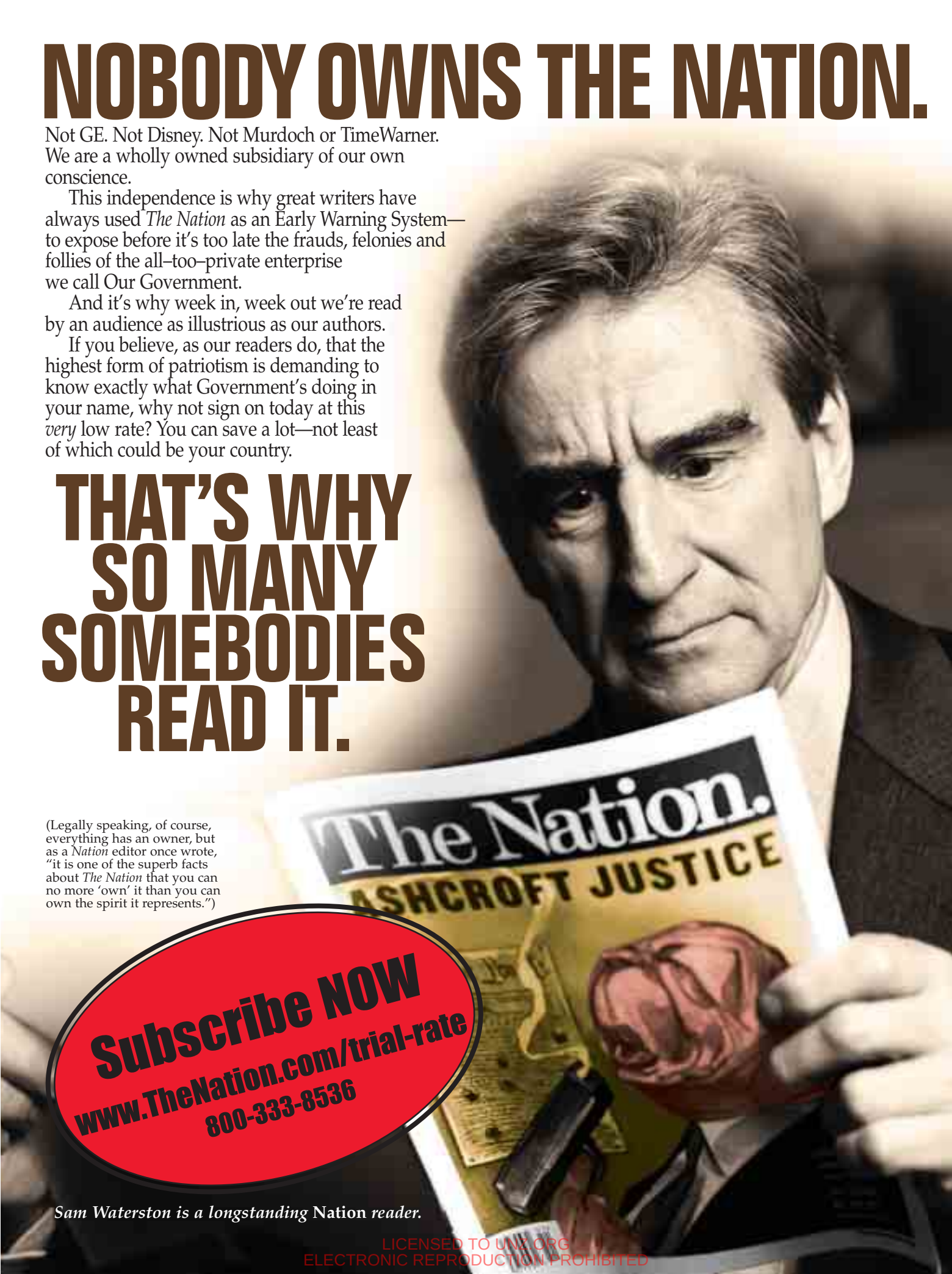

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The emergence of Iraq's nationalist movement has been a long time coming. Built around parties opposed to the influence of both Iran and the United States, it began to take shape in the fall of 2007 after a series of US actions: a Senate vote in favor of a proposal from then-Senator Joe Biden to partition Iraq into three mini-states; the brutal killing of seventeen Iraqis in Baghdad by Blackwater security forces; and US support for a law that would have opened the door to privatization of Iraq's oil industry. This helped galvanize a twelve-party alliance, including Sunni and Shiite nationalists, secular parties, ex-Baathists, former Iraqi resistance groups and various independents, that worked to preserve the country's state-owned oil companies and to combat efforts by the Kurds and ISCI to carve Iraq into regional fiefdoms. By mid-July of last year, they'd united in a bloc called the July 22 Gathering.

The July 22 group was a reaction to five years of ethnic and sectarian politicking initiated by US blunders in the wake of the invasion. From the start, the occupation authorities parceled out power according to sectarian and ethnic quotas. They first handed power, in the form of the Iraqi Governing Council (IGC), to ISCI (which at that time went by the name Supreme Council for the Islamic Revolution in Iraq); Maliki's Islamic Dawa Party; and the two Kurdish parties. The United States then pushed hard for elections. Held in January 2005, they were a fiasco, widely seen as rigged in favor of the Shiite religious parties and the Kurds, and thus boycotted by virtually the entire Sunni Arab population. Those elections brought to power the current Shiite-Kurdish alliance. It was, says the International Crisis Group, "a victory by parties that, while popularly elected, lacked deep popular legitimacy."

The utter failure of that government to provide jobs and basic services turned millions of voters against the ruling bloc, especially the religious parties. "Over the last four years, the religious parties tried everything and proved that they are not successful leaders," says Aiham Alsammarae, Iraq's former minister of electricity, who is now working with the party of former Prime Minister Iyad Allawi, a secular Shiite. "Even in the south, the religious leaders are losing their influence. People are asking, What have they done for us? There are no jobs. There is no electricity or water. The schools and hospitals are terrible. And there is so much corruption."

By January 2008, it was already beginning to appear as if new elections would result in a landslide in favor of the opposition. Among the Shiites, the populist, grassroots appeal of Muqtada al-Sadr and his Mahdi Army led to predictions that the Sadrists would sweep ISCI and Dawa out of office. Among the Sunnis, the Awakening movement and the related Sons of Iraq militia were rallying hundreds of thousands of Iraqis, often led by tribal leaders, into a formidable nationalist force. And big gains seemed likely for secular parties, including those led by former Baathists such as Allawi and by Saleh al-Mutlaq, leader of the National Dialogue Front. Not only that, the four ruling parties were feuding among themselves.

Despite the growing power of the nationalists, the United States continued to back the Shiite-Kurdish bloc, and Maliki in particular (several attempts by the opposition to organize a parliamentary vote of no confidence against Maliki were rudely blocked by the US Embassy). According to Reidar Visser, an Iraq expert at the Norwegian Institute of International Affairs, Washington was backing a narrow and shrinking coalition that represented no more than a quarter of Iraq's population.

Maliki and his coalition partners were well aware that provincial elections could be a disaster for them. Using various legal and quasi-legal actions, they angled to prevent a vote. "The four ruling parties were working hard to postpone provincial elections because they knew they'd lose so badly," says Jarrar.

The utter failure of the Shiite-Kurdish alliance to provide jobs and services turned millions against the ruling bloc, especially the religious parties.

The election, while relatively free of violence, was hardly a model of democracy. Turnout was far lower than expected, with just over half of 15 million registered voters going to the polls. In some provinces—Baghdad and Anbar, especially—turnout was just 40 percent. Part of the reason for the low turnout was confusion among voters over which of the 7,000 polling stations to go to, but much of it was simply because 4–5 million Iraqis have either been displaced or forced to flee to Syria, Jordan and other countries [for more on the plight of refugees see Ann Jones, page 17]. The vast majority of displaced Iraqis were unable to vote, which drastically altered results in areas such as Baghdad, Diyala and Salahuddin provinces, where Sunnis fled Shiite militias and death squads during the peak years of the civil war. "There were a lot of complaints about IDPs [internally displaced persons] not able to vote," says Nicolay Mladenov, a European MP from Bulgaria who spent a lot of time in Iraq in the run-up to the vote.

There is nothing remotely resembling a campaign-finance law in Iraq. It is widely assumed that Iran supplied large sums of cash to its favored parties, including ISCI, and that Turkey's ruling Islamist party backed the IIP. The Iraqi High Election Commission is investigating credible allegations of fraud, including reports of ballot-box stuffing, nearly all of which would have been perpetrated by the ruling alliance. "These elections were not observed by international standards," says Mladenov. "We don't have the people on the ground for that." To its credit, the United Nations trained tens of thousands of poll watchers, but only about 400 international observers were directly involved on election day.

But it was Maliki who muscled his way to big wins in Baghdad, Basra and other provinces in Iraq's largely Shiite south, and who blatantly used the power of the army, the police, the media and the prime minister's office to tilt the balance in his favor. Starting early in 2008, Maliki used the army to conduct a series of sweeping offensives in Basra, Maysan and Baghdad's Sadr City to break the power of Muqtada al-Sadr's movement. The offensives, which drew intensive US support, including air attacks and intelligence help, "scattered Sadr's movement

Robert Dreyfuss is a Nation *contributing editor.*

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to the four winds," says Michael Knights of the Washington Institute for Near East Policy. Maliki followed that up by ramming through an arbitrary and selectively enforced measure banning parties with militias from participating in the elections, which was aimed squarely at Sadr's 60,000-strong Mahdi Army. The International Crisis Group called it "a blatantly biased move in light of the fact that ISCI and the Kurdish parties both retain militias…loyal to their political masters."

Maliki didn't stop there. Step by step, he transformed the Iraqi army into a kind of private militia for the office of the prime minister, bypassing the chief of staff to appoint brigade commanders and other officers loyal to himself. He also created a pair of special operations units, the Baghdad Brigade and the Counterterrorism Task Force, that reported directly to him. And he used all three to conduct lethal operations against opponents, ruthlessly rounding up members of Sadr's movement and key leaders of the Awakening movement. Maliki's clear intent was to make sure that neither the Sunni nationalists nor the Sadrists were able to enter the election on a level playing field.

But the most decisive action launched last year by Maliki to influence the elections was the creation of lavishly funded "tribal support councils" that served as militias and as the prime minister's electoral arm. Despite protests from the nationalist opposition and his coalition partners (ISCI and the Kurds), Maliki created a slush fund to back the tribal councils. In Maysan, for instance, he set up at least seventeen separate councils, channeling hefty payoffs to tribal leaders. Payoffs were supposedly capped at $10,000 per council, but Maliki apparently spent a lot more. "If they were expecting $10,000, he gave them easily $100,000 or more, more than they dreamed of," says Alsammarae. "So they started to work for him." According to Sam Parker of the US Institute of Peace (USIP), there were rumors that as much as $100 million was funneled to Maliki supporters in suitcases.

Maliki's tactics were successful enough to guarantee that in the face of a hurricane-force anti-incumbent mood, he would survive. Indeed, he won 38 percent in Baghdad, 37 percent in Basra and came in first, in the 12–23 percent range, in six other southern provinces. It might seem as if Maliki's success was a victory for political Islam, given his origins in the fundamentalist Shiite religious movement. But not quite.

To be sure, the Dawa Party is an Islamist formation. And like ISCI—whose political origins and militia, the Badr Brigade, can be traced to the Iranian Revolutionary Guard Corps in 1982—Maliki and his Dawa confreres spent long years of exile in Iran. But in the past year Maliki, sensing which way the winds were blowing, dropped all references to religion in his campaign, wrapping himself instead in the flag and running as a nationalist defender of Iraq. (Dawa had already broken into at least three factions, one of which was led by former Prime Minister Ibrahim al-Jaafari.) According to Alsammarae, Maliki winked as liquor stores, barbershops, DVD sellers and nightclubs reopened in Basra, after years during which religious Shiite militias had shut them down or burned them.

By taking a strong nationalist stand in negotiating the US-Iraq Status of Forces Agreement (SOFA), by standing against the Kurds in disputes over Kirkuk and other embattled areas, and by supporting revision of the Constitution to favor a stronger central government, Maliki made broad appeals to nationalists. Emphasizing security, he went to great lengths to portray himself as a law-and-order candidate, touting his crackdown on the Mahdi Army. "In the eyes of many Iraqis in the south, Maliki was seen as a new strongman, which they craved," says Joost Hiltermann of the Crisis Group.

As Dawa faded, Maliki built coalitions in the provinces comprising tribal leaders and other notables, often picking people with nationalist, nonreligious credentials. "Maliki was able to go into the provinces and recruit people who were actually popular at the local level," says USIP's Parker. Adds Jarrar: "It wasn't the Dawa Party that ran in these elections. It was a more diverse group of independents and secular figures, in some cases even Sunnis." As a result, Maliki sits atop a coalition, at least at the provincial level, that is far more nationalist and less religious than Maliki himself. He is at least partly beholden to a movement that won't easily tolerate his moving back toward an alliance with ISCI and the Kurds.

The rise of a nationalist movement is a direct challenge to the two countries with the greatest influence in Iraq: the United States and Iran.

Meanwhile, in other provinces nationalists and secular parties made big gains. In the north, Nineveh—its capital, Mosul, is Iraq's third-largest city—came under the near-total control of the Kurds following the 2005 vote. This time, as expected, a fierce Arab nationalist party, Al Hadba, scored a huge victory, reflecting the overwhelming Sunni Arab majority in Nineveh. In Anbar, where the Iraqi resistance began in Falluja and Ramadi five years ago, the Sunni fundamentalist Iraqi Islamic Party—which dominated the 2005 election there, in which a mere 2 percent of voters went to the polls—was massively outvoted by a combination of tribal, Awakening-linked parties and Saleh al-Mutlaq's secular party, which placed first. In Salahuddin, another Sunni-majority province, the IIP—which also dominated that province in 2005—won just 14 percent, with a combination of Allawi's and Mutlaq's secular parties and Awakening-linked parties winning more than half the vote. And in war-torn Diyala province, previously controlled by Shiites and Kurds, a broad coalition of Sunni-led parties, including the IIP and Allawi's party, made major gains.

Remarkably, the Sadrist movement managed to survive Maliki's all-out campaign against it. Although banned from running as a political party, the Sadrists created several independent electoral lists widely seen as Sadrist fronts. They made respectable showings in Baghdad and several southern provinces, including Maysan, Babil and Dhi Qar. "Don't count the Sadrists out, ever," says Hiltermann. "The Sadrist trend has an internal coherence that can't be underestimated." Having built its organizational apparatus mosque by mosque in secret during the Saddam era, the Sadrists aren't easily intimidated. "They're just lying low," says Hiltermann, who maintains

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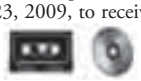

Aristotle

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close contact with Sadrist leaders in Iraq.

Perhaps the biggest surprise of the election was the first-place finish by a secular party led by Yousef Majid al-Habboubi in Karbala, home to one of Iraq's two holiest Shiite shrines. Habboubi, a former Baathist who served as a top provincial official during Saddam's era, is a moderate, secular Shiite. Perhaps no other election result demonstrates how thoroughly Iraqi voters are disenchanted with the religious parties that have been ruling Iraq. In 2005, the United Iraqi Alliance was assembled under the guidance of Najaf's Grand Ayatollah Ali al-Sistani, a bearded octogenarian born in Iran, who is revered by religious Shiites. But this year a popular slogan in the Shiite south was: "We've been fooled by the Marjaiya [the Najaf-based clergy]. We have elected amoral people!" ISCI, ignoring public sentiment, illegally made use of religious symbolism in its campaign materials, and it was crushed. ISCI's ties to Iran's ayatollahs worked against it, too, as thousands of text messages were sent out by unknown parties to Iraqi voters urging them to "stop Iranian influence in Iraqi affairs."

Just as Maliki adopted nationalist garb and built coalitions with secular tribal leaders, the Sunni fundamentalist IIP was forced to broaden its appeal in order to survive. It, too, now includes large numbers of less religious, less sectarian and more nationalist officials and voters. "It's a new political class that has been recruited into political parties and movements," says Parker of USIP. "Many of these guys are much more hardcore than the IIP. They're tougher, they're more anti-Iran and they're nationalists."

Iraq's ruling parties—ISCI, the two Kurdish parties and what's left of Maliki's Dawa—still control Parliament, and Maliki retains his power as prime minister. However, the rules of the game have changed. Despite his personal electoral gains in the provinces, Maliki is walking a tightrope at the national level. He's burned his bridges to ISCI and the Kurds by standing up in favor of a strong central government and by his heavy-handed campaign tactics against his former allies. The July 22 coalition—which includes Sunnis, secularists and Sadrists, each of whom have large voting blocs in Parliament—may try to topple Maliki in a vote of no confidence long before the next elections, and they may try to persuade Kurdish leader Massoud Barzani to jump ship and support them. (Those elections are set for December, but in January a key Maliki ally suggested that they might be postponed until at least March 2010, an indication that the prime minister is worried.)

To survive, Maliki is going to have to deliver the goods to the nationalists of the July 22 bloc, and that means supporting major changes in the Constitution and giving the nationalists tangible power in key institutions, including the army. "He has to get serious about constitutional reform and national reconciliation," says Visser. "It's good that Maliki is beginning to understand what the Iraqi people want, but there's a long way to go before he's seen as a truly nationalist figure."

The emergence of a nationalist movement is a direct challenge to the two countries with the greatest influence in Baghdad: the United States and Iran. Since 2003 Iran, which has accumulated vast power in Iraq, overt and covert, has been satisfied with a weak central government that is under the control of Shiite religious parties. If that begins to change—if the religious parties' influence falls, and if Iran sees the possibility of a strong regime in Baghdad—Tehran might decide to cause trouble, making use of ISCI's Badr Brigade or the so-called "special groups" that broke away from Sadr's Mahdi Army. That worries Iyad Allawi, who has re-emerged as a potential prime minister. "Maliki won't be able to fix things unless the whole political process is fixed," Allawi told *The Nation*. "And there will be an intervention by Iran to prevent that rebalancing of the political process. So there is the possibility of a lot of bloodshed." So far, Iran is placing its bets on longtime ally Maliki, who made a point of visiting Tehran right after the election. Manouchehr Mottaki, Iran's foreign minister, then traveled to Baghdad, announcing that Iran will establish two more consulates, in Karbala and in two Kurdish cities.

For advocates of America's imperial project in Iraq, the re-emergence of Iraqi nationalism is both good and bad news. Good, because Iraqi nationalists are first and foremost anti-Iranian, and they will work hard to curtail Iran's interference. Bad, because precisely to the extent that democracy is allowed to flourish and that authentic Iraqis find their voices, the presence of US troops will not be tolerated. Having staked its fortunes since 2003 on a coalition (including ISCI, Dawa and the Kurds) that is also the most pro-Iranian, the United States is now going to have to accommodate an Iraqi political class that will blame Washington for the country's devastation and for propping up pro-Iranian separatists and religious extremists.

For President Obama, the handwriting is on the wall. If, on the advice of US military commanders, he attempts to prolong the occupation, he will run afoul of Iraq's newfound self-confidence. By the same token, the president can curry enormous favor in Iraq by accelerating withdrawal. Indeed, an early test of that proposition will come this summer, when Iraqis vote in a national referendum on whether to ratify the US-Iraq Status of Forces Agreement, which allows US troops to stay in Iraq until the end of 2011. Washington can expect strong opposition from the nationalist movement, and the outcome of the referendum is uncertain. If voters reject the SOFA, Obama will have a deadline of twelve months to get all US forces out of Iraqi territory; if they vote in favor, they will do so only because the 2011 deadline seems plausible. In either case, they're not likely to look favorably upon any US effort to create a long-lasting military presence beyond that deadline.

That doesn't mean the immediate future is going to be peaceful. Obama is going to have to resist those who urge him, at the first sign of increased violence in Iraq, to slow down the withdrawal. He is going to have to work hard to get Iraq's neighbors, including Iran, to persuade their friends, allies and agents to avoid conflict. Obama will have to work with the UN, the Europeans, Russia and oil-hungry Asian powers such as China to kick-start a global effort to invest tens of billions in Iraqi reconstruction, allowing those countries to sign mutually beneficial deals with the Iraqi oil industry. And if violence does erupt, Obama is going to have to let the fever run its course.

The election results prove conclusively that a nationalist Sunni-Shiite cross-sectarian alliance, much of which has roots in the insurgency that followed the US invasion, is reaching for power. There's no stopping it. By prolonging the occupation, the United States is only standing in its way. ■

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Iraq's Invisible Refugees

Hardship and haunting memories mark the lives of the 2 million Iraqis who live in exile.

by ANN JONES

On May 6, 2007, two men in black visited the Baghdad house Imad shared with his parents and younger sister. It stood in a mixed neighborhood where, for as long as Imad can remember, Sunni and Shiite Muslim families lived side by side with Christian and Sabaean Mandaean families like his own. The visitors invited Imad's father to the neighborhood mosque to become a Muslim. If he failed to do so within three days, they said, he would be killed.

The family stayed indoors for five days, not knowing even if the visitors and the mosque were Sunni or Shiite. Such things had never mattered before. Then Imad's father, daring to carry on with life, went with his daughter to the market to buy food. Three masked men were waiting for him in a car. He told the girl to run. She heard the shots that killed her father. After the funeral, Imad left for Syria to find refuge. The family, including Imad's older brother, his wife and two young children, reunited in Damascus within days.

Imad had found them an apartment in Jaramana, a rundown section of the city attractive to Iraqis for its relatively cheap rents. Like their father, Imad and his brother had been goldsmiths, a traditional occupation of Sabaean Mandaeans. In Baghdad, it was a very good living. In Damascus, they spent their savings, thinking they would soon be able to go home. The Americans had embarked on "A New Way Forward," a strategy to restore order to Baghdad with a surge of 28,000 soldiers: one brigade in January 2007; another in February, when Operation Enforcing the Law was launched; and another in March. In April a fourth brigade was deployed to Diyala. By the time the fifth and final brigade arrived in Baghdad in May to complete the surge, Imad's father was dead and his family in exile, counting themselves among 2 million Iraqis who had fled the country and part of the estimated 4.7 million—17 percent of the population—uprooted from their homes since the American invasion in 2003. When Imad and his family arrived in Syria, there were almost a million Iraqis in Damascus alone, and more were coming every day.

Like most Iraqi refugees, Imad keeps in touch by cellphone and e-mail with friends and relatives back home. I met Imad and his brother in a spartan storefront Internet shop in Jaramana, where he works illegally—refugees are not allowed to hold jobs in Syria, for fear they might be encouraged to stay—and where other Iraqis congregate to contact relatives still in Iraq. Everybody smokes: Gauloises, Gitanes, Marlboros. The density of the smoke registers the level of tension in the air. Yet every day I overheard Skype conversations full of laughter and good spirits. When a caller finished a seemingly cheery chat, I'd ask, "How are things in Baghdad?" The answer was always the same.

ANN JONES

In Damascus, a woman weeps as she describes her family's daily life since they fled Iraq.

"Things are terrible." Callers listed the enduring problems: bad water, little electricity, no jobs, no medicine, cholera, explosions and unremitting random acts of violence. Everyone said something like, "Our relatives tell us not to come back. They want to come out. It is not secure."

That was a year after Gen. David Petraeus reported to Congress in September 2007 that as a result of the surge, violence in Baghdad had been reduced significantly and that "fragile" and "reversible" improvements had been made. During that year, Petraeus's tentative "improvements" had so solidified into received wisdom that Senator John McCain, in the first debate of the presidential campaign, in September 2008, could say, "Senator Obama refuses to acknowledge that we are winning in Iraq.... There is social, economic progress, and a strategy of going into an area, clearing and holding, and the people of the country then become allied with you. They inform on the bad guys. And peace comes to the country, and prosperity. That's what's happening in Iraq."

Eventually, under intense pressure to accept the official story, even Obama said the surge had succeeded "beyond our wildest dreams." But the dreams of Iraqis are something else. Maybe from where Petraeus sat in Baghdad, or McCain in Washington, things looked good. But I sat at the edge of the occupation, in shabby neighborhoods in Damascus and Amman and Beirut, listening in places like that smoke-filled Internet shop to Iraqi refugees who had fled their beloved country before the surge and after. I lived among the refugees and interviewed dozens of them, their friends, their families and the aid workers and United Nations officials who try to help them. (To protect the refu-

Ann Jones, author of Kabul in Winter, *does humanitarian work in post-conflict zones with NGOs and the United Nations. Research support was provided by the Investigative Fund at The Nation Institute.*

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gees who confided in me, I've changed their names.) And from their vantage point, things didn't look good at all.

The flight of Iraqis began long before the American invasion. Iraqis fled Saddam Hussein's regime to escape political persecution or military service during the Iran-Iraq War. They fled the Gulf War and the suffering of the sanctions. Some of those refugees in exile nurtured sectarian agendas and, like Ahmad Chalabi, coached the 2003 invasion; 300,000 exiles returned in its aftermath, either voluntarily or because their standing as legal refugees from Saddam's persecution was revoked by host countries when the regime fell. But even as they returned, others left. Those with the most to lose led the way. Hundreds of doctors, academics, judges and lawyers were murdered; thousands of their colleagues left the country. The loss devastated Iraqi healthcare and education—formerly state-subsidized, first-class services—and hastened the death of law and order. According to a report issued by the UN High Commissioner for Refugees (UNHCR), militias and criminal gangs targeted an array of Iraqis for many different reasons: for "their public status, (perceived) political views, sectarian identity, engagement in 'Western' activities or other alleged 'un-Islamic' behaviour, and perceived wealth." As Iraq descended into chaos, life grew more difficult and dangerous. Analysts usually cite the bombing of the gold-domed Shiite mosque in Samarra in February 2006 as the event that turned random "sectarian violence" into "civil war." Perhaps more important, it turned widespread flight into mass exodus.

One refugee explained: 'Saddam used to be the bad boss. Now every gang in Iraq has a bad boss. Any Iraqi can be a little Saddam.'

Listen to Iraqi refugees, however, and "sectarian violence" and "civil war" seem like oversimplifications that don't cover what's gone on. Every refugee—every single one—has a story of loss and terror, a personal disaster that inspired flight. Yet as UNHCR reports, "the sheer number of actors actively engaged in violent activities in today's Iraq" makes it almost impossible for their victims to know who attacked them, or why. Many refugees scarcely know what hit them. They don't call it civil war. One explained: "Saddam used to be the bad boss. Now every gang in Iraq has a bad boss. Any Iraqi can be a little Saddam." Saddam was notorious for wholesale extortion; he imprisoned citizens and solicited bribes for their release. In post-Saddam Iraq, kidnapping for ransom is everybody's game.

Othman, 28, came to the UNHCR office in Amman to talk with me. We sat together on the roof, looking out over the sun-washed city as he told his story. He said he was stopped by Iraqi police on February 10, 2006, as he was driving home from work with his father. They handcuffed him, hooded him, drove him to another location and handed him over to men he couldn't see. Someone lifted his hood, said, "That's the guy," and knocked him out. He woke up hanging by his feet in an airless cell. He hung for three days; the pressure in his eyes blinded him. His captors—four or five unknown men—beat him with hoses, partially asphyxiated him and jolted him with electrodes attached to his fingers and penis. They phoned his father so he could hear Othman screaming. His father handed over $20,000 and the kidnappers threw Othman out, half dead, into a vacant lot, where a neighbor found him and dragged him from a circle of salivating feral dogs. While Othman was held captive, a Shiite militia seized his father's store, along with all the Sunni stores on their street in Sadr City, and shot several tradesmen who resisted. Three days after Othman was released, the whole family left for Jordan. For months, he was unable to leave his apartment in Amman and unable to sleep. He is still stunned by flashbacks, confused by memory lapses and haunted by the uncertainty of who snatched him—Iraqi police, Shiite militiamen, a criminal gang?—and why. Was the family targeted for their money and property? Their Sunni faith? What?

Sayed, 27, was kidnapped by the Mahdi Army in February 2006, held for a month, beaten and tortured. They broke his nose, his teeth, the bones of his eye socket. When I talked with him at a rehabilitation center for torture victims in Beirut, he couldn't speak of the other things they did to him but said that because they were done in the name of Islam, they had caused him to hate his religion. He was hauled before a Shiite sheik who sentenced him to death by beheading. His family delivered $10,000 for his release, and the kidnappers let him go. His is one of many stories in which money trumps sectarian fervor. Before they turned him loose, Sayed's captors cut off two fingers and the thumb of his left hand, marking him for execution if they catch him again.

The violence done by ordinary men to other ordinary men like Othman and Sayed devastates the victims. Men told me of being kidnapped as teenagers, beaten, confined without food or water and coerced to provide sexual gratification to their captors. They spoke without apparent feeling, having retreated behind some psychic barrier where safety lay. Although most men won't tell—"A raped man is not a man," one said—UNHCR and its partners recorded 225 cases of sexual violence against men. Kifah was kidnapped at 19 and sexually coerced. Soon after, he was slightly wounded by a bomb that killed his best friend. Kifah fled to Amman and then, after learning that his parents and younger brother had gone missing, returned to Iraq to search for them. For two months he scoured hospitals and morgues but found no trace. Back in Amman, he says, "I can't shed tears. I can't feel anything anymore." When the Americans invaded, he was studying to become a dentist.

No Iraqi family has been spared. Every Iraqi can name at least one lost relative—dead or disappeared. Most I spoke with had suffered multiple tragedies. Too poor or too damaged to leave after the first assault, they were struck again.

Hassan, a Shiite, was a driver for an oil company. His schoolteacher wife is Sunni and, as a condition of her state employment, a Baath Party member. When the Americans de-Baathified the country, she lost her job, a serious blow to a family with seven children. Hassan worked longer hours until he was kidnapped by unknown gunmen in March 2006 and held for forty-five days; torture left him partially paralyzed and unable to stand. In

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April, while Hassan was still a captive, seven armed men entered the family home, shot and killed the eldest son (age 16) and cut off his head. The unknown men remained in the house for seven hours, during which they forced the next oldest boys—14-year-old twins—to hold their dead brother's body and his head. A month later, a group of unknown men entered a nearby school and forced the students to watch as they gang-raped their teachers. Among the students was Hassan's second daughter, Zahra, then 8. The men kidnapped Zahra and seven other girls, ages 7 and 8, held them in a windowless room, deprived them of food and forced them to watch as they gang-raped captive women. After about a week, the men set fire to the girls' hair, slit their throats and threw them onto a rubbish heap. Foreign soldiers spotted the girls' bodies and noticed that Zahra was still breathing. She was the sole survivor. Eight months later, in January 2007, unknown men for unknown reasons set a fire that consumed the family's house and belongings. Destitute and homeless, they managed to flee to Damascus, where they live in a one-room apartment. Hassan lies on a mat on the floor. His wife thinks of suicide. The children are afraid to go to school. Zahra always wears a tight knitted cap because her hair hurts.

As always in modern warfare, women and children suffer in the greatest numbers. UNHCR reports that about 70 percent of Iraqi refugees are women and children. Haifa Zangana, exiled to London after being imprisoned and tortured as a communist by Saddam's regime, reports in *City of Widows* that by 2007 there were at least 300,000 widows in Baghdad. Today there are 3 million nationwide. Their husbands were men like Imad's father. UNICEF estimates that 50 percent of refugees are children. Most of them have been traumatized, like Hassan's children, by appalling events.

We'll never know how many thousands of women and girls have been raped. Rape is commonplace yet scarcely mentioned. For women rape is a shame that entitles men of the family to murder them in defense of "honor." Of 4,516 cases of sexual violence in Iraq reported in Jordan, women were the victims in 4,233 cases; and for each reported case, there are countless others. So many women are full of sorrow because once-happy marriages did not survive the damage of rape. So many can't forget. I talked to women who were gang-raped—in some cases it went on for hours—and because their children were held hostage in the next room, they never made a sound.

In Damascus many Iraqi women and girls dance in nightclubs and leave in cars with men who pay them for sex. To call it "prostitution" implies a greater degree of choice than they have. "Survival sex" is more accurate. I met many sex workers in the clubs, in their apartments, at the neighborhood beauty shop and at the restaurant where they "socialize" with regular clients during the day. Many sex workers are single mothers, widowed or abandoned—some after having been raped—and desperately poor. They pay club owners for the privilege of sitting at a table night after night and buying bad food. They get up to dance woodenly to deafening music together with 10- and 12-year-old girls whose sad-faced mothers sit on a bench near the toilets, watching and waiting for sex tourists from the Emirates or Saudi Arabia to buy their daughters' virginity.

Sex work is dangerous enough to be almost suicidal. Zainab

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was beaten and gang-raped for two days, thrown from a car and left for dead by four men from the Gulf who were later sought by Syrian police for gang-raping a 13-year-old girl to death. (The police brought photos of the men to the beauty shops frequented by sex workers, and Zainab recognized them.) Zainab hadn't gone to the police. In Jordan, Syria and Lebanon, any refugee caught working at any job is subject to detention and deportation, and prostitution is a crime. Police often arrest sex workers and use the threat of deportation to extort money or sex; but generally the police seem to go easier on "respectable" women who work illegally—or at least that's what people believe. So in a great many refugee households, it's women who leave the house for work and necessary errands. They go out. The men stay at home, doing nothing, in small, bare apartments sometimes strikingly reminiscent of rooms where they were held and tortured. Men have lost house, land, livelihood, status—all that once identified them as men. Women take on a double burden—their husbands' tasks as well as their own. As the family sinks deeper into poverty and waiting becomes unbearable, men try to reclaim their sense of identity by asserting control over their wives and children. Domestic violence sweeps through Iraqi refugee communities like cholera. A man afraid to go out and look for work keeps his wife at home too, as if forcing her to return to a woman's traditional role will restore the status and power he once enjoyed as a man. Having a wife at home shows that a man can support the family. But he can't. Amal, who had been a professor in Iraq and the sole support of her husband and four children during three years of exile, finally "surrendered"—after a year of increasing violence—to her husband. When I went to see her, she had abandoned her job with an international NGO that helps refugee women. The bruises on her face from the last beating had faded to yellow. There was no food in the apartment. The children were at home too, withdrawn from school for lack of money. They looked thin and depressed. "They are malnourished," Amal said. "My daughter cries and cries. And me, I am now a 'good' wife. I am at home. I am dying here."

A man afraid to go out and look for work keeps his wife at home too, as if that will restore the status and power he once enjoyed as a man.

A year after Imad and his family arrived in Damascus, they abandoned hope of going home to Iraq. General Petraeus had told Congress that the surge produced "improvements" in Baghdad in part because it deployed forces to protect Iraqi civilians. But friends left behind told a different story. The number of civilian casualties had increased—to more than 1,500 killed in July 2007—and so had the number of unidentified Iraqi corpses found each day in Baghdad streets. The International Institute of Migration and the Red Crescent confirmed in August 2007 that the number of Iraqis fleeing the country had gone up with the onset of the surge. At the same time, formerly mixed neighborhoods became distinctly homogeneous. It was hard to avoid the conclusion that the surge, which George W. Bush described in his 2007 State of the Union address as an effort to "help Iraqi forces to clear and secure neighborhoods," had organized the chaotic criminal violence so many refugees describe into efficient ethnic and sectarian cleansing. Historian Juan Cole points out that during the surge, Baghdad's Shiite citizens somehow managed to increase their relative numbers from 65 percent to 75 percent of the population, turning Baghdad into a Shiite city, much like Tehran, in which Sunnis couldn't compete. As for minorities, an estimated 80 percent or more of Sabaean Mandaeans had fled the country by June 2008, when Imad and his family went to the UNHCR reception center in Damascus and registered as refugees. They hoped to be resettled in another country.

It's the job of UNHCR to protect refugees, but not even the most experienced specialists anticipated that the American invasion of Iraq would precipitate what UNHCR describes as "the largest long-term population movement in the Middle East since the displacement of Palestinians following the creation of Israel in 1948." Iraqi refugees are largely invisible to the outside world because they are not crowded together in big blue-tented camps snapped by news photographers. Iraqi refugees are urbanized, educated people who—before the war, at least—had property, businesses, jobs and savings. Thousands went to Europe or beyond, but most slipped into neighboring countries—Syria, Jordan, Lebanon—where they rented apartments to wait for the war to end. They look like anybody else from the Middle East. They share a common language. To Western visitors, refugees are indistinguishable from local citizens. But their impact on the host countries, and on UNHCR, is huge.

Considering that none of Iraq's neighbors are rich, and that none of them are obliged by international treaties to protect refugees (as the United States is), they have been remarkably hospitable. Jordan, with a population of 6 million, accommodates half a million Iraqi refugees—equal to 8.5 percent of its population—in addition to the 400,000 Palestinians it has harbored for decades. Last year 25,000 Iraqi children enrolled in Jordanian schools. Before the war UNHCR had a staff of twenty-five in Jordan to provide financial support to 800 refugee families; now a staff of more than 140 supports 5,765 families and hopes to reach 8,000. Yet UNHCR is authorized to protect and support primarily those refugees who have officially registered with the agency. So far, in Jordan only about 55,000 have registered—roughly 10 percent of the Iraqi refugees known to be in the country. In Syria, the situation is exponentially worse. With 18 million citizens, it has received an estimated 1.2 to 1.5 million refugees, mostly in the capital. (That's the equivalent of the United States receiving more than 20 million refugees in the neighborhood of the White House.) It's no wonder the UNHCR office in Damascus is overwhelmed.

When registering refugees, UNHCR determines whether they should be referred to a third country for possible resettlement. Many have been waiting months or years to be summoned to a resettlement interview, though the percentage of cases considered is in the single digits. Only the most "vulnerable" make the cut. Eleven categories of vulnerability include: female-headed households, persecuted religious and political

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groups, and those who are on everybody's hit list because they aided Americans, whether from conviction or, more often, need. While refugees wait, UNHCR supports the neediest. In Damascus it provides a monthly cash payment for rent or an allotment of staple foods. Refugees can choose between shelter and food. The terrible irony of UNHCR's underfunded struggle to cope is that its inadequate response so often seems, even to grateful refugees, another almost unbearable trial.

The Bush administration strictly limited resettlement of Iraqis in the United States. (Families who redeemed relatives from kidnappers have been rejected, under a provision of the Patriot Act found unconstitutional in 2007, for providing "material support" to terrorists; hundreds who sought a waiver on grounds of "duress" remain on hold. Another excluded category, sex workers, eliminates some of the most vulnerable women and men.) By the fourth anniversary of the invasion, early in 2007, the United States had admitted only 463 Iraqis. Even when the number of post-invasion refugees passed 1.5 million, the administration argued that they would return home at any minute and thus were not real refugees. Under intense international criticism, however, the administration announced that it would provide $18 million to UNHCR, which had issued an urgent appeal for $60 million to aid Iraqis, and process 7,000 Iraqis for resettlement in 2007 and perhaps 12,000 more in 2008. It failed to meet these quotas, but it's worth noting that the total number projected is still less than 20,000, the number the Bush administration cited from the beginning as the worst-case-scenario limit. For comparison's sake, consider that the United States has accepted 900,000 refugees from Vietnam since the end of that war, largely at the insistence of President Ford. The equivalent (adjusted for population) would be the resettlement of 300,000 mostly Arab, mostly Muslim refugees from Iraq.

For many Americans, the US failure to respond to the plight of Iraqi refugees adds one more layer of shame to an already sorry load. (George Packer has written movingly in *The New Yorker* and in his play *Betrayed* of the Bush administration's shameful failure to protect even those Iraqis who risked their lives to aid the American enterprise.) Other Americans may be haunted by the specter of a destabilized Middle East. There, an immense displaced population languishes without access to jobs, education, healthcare (which used to be free) or hope for their children's future. Ascendant Islamism chains the most advanced women in the Arab world to the traditions of a previous century, while their daughters eagerly adopt the veil. And once secular, middle-class Arabs turn for consolation to the Koran, while a new generation of angry youth rushes toward religious fundamentalism and revenge. Such things, if one thinks about security, should keep the most hardheaded pragmatist up at night.

What is to be done? Robert Carey, vice president for resettlement and migration policy at the International Rescue Committee and chair of Refugee Council USA, is hopeful that the Obama administration will be freer to face facts and change course. What's needed is leadership at the highest level backing what Carey calls "a Marshall Plan for refugees": a comprehensive, long-term, multinational plan to help host countries and UNHCR in the Middle East address the needs of refugees—housing, jobs, healthcare and, above all, education for their children—until they are able to return home or, for those who can't go back, to resettle elsewhere.

In fact, President Obama seems to have something like that in mind. The White House Press Office did not respond to questions for this article, but "preventing humanitarian crisis" was part of the plan to "responsibly end the war in Iraq" that candidate Obama announced on his campaign website in September 2007. Now, with the humanitarian crisis in full bloom, that plan has moved to the White House website. President Obama pledges to provide at least $2 billion to expand services to Iraqi refugees in neighboring countries and to safeguard internally displaced Iraqis as well; and he promises to form an international working group to address the crisis. In addition, he vows to "work with Iraqi authorities and the international community to hold accountable the perpetrators of potential war crimes, crimes against humanity, and genocide."

What's needed is leadership at the highest level backing a 'Marshall Plan' for refugees: a comprehensive, long-term, multinational plan.

For millions of Iraqis uprooted by the war, the very idea of exile is a hardship. The peculiar status of "refugee" is a punishment that exacts gratitude from the sufferer. Some well-to-do Iraqi refugees have lived quite comfortably on their reserves. But in Jordan, even middle-class Iraqis are hurting—their savings depleted and the cost of living rising. Many are moving from Amman to outlying suburbs and villages, where money might stretch further. Some, against their better judgment, have gone back to Iraq for the $800 payment the Iraqi government offers returnees. Some returnees have been killed. Many do not regard returning as an option.

Aziz, who had been an English teacher in Baghdad, tried to help his neighbors by speaking to American soldiers on their behalf. Zealots wrongly accused him of working for the Americans. I visited him and his wife, Nadima, and their four children in a tiny one-room apartment in suburban Damascus. Although they had no furniture—no shelves or chests of drawers—their belongings were arranged along the walls with tidy precision. Nadima took me to see the quarters they'd occupied the year before, when she was pregnant, on the roof of a five-story building at the top of a steep hill. (Still fearing reprisals, Aziz stayed home.) She showed me the storage room where the family had slept. Corrugated plastic covered some sections of the roof, but it was full of holes. She told me that on very cold, wet days a woman in an apartment below had taken her children inside. She was immensely grateful for that, and for their new apartment, which flooded only during heavy rains. She showed me a sink in the far corner of the roof. A nylon mesh body scrubber still hung from a nail on the wall. It was pink. "This is where we bathed," she said. And then she began to weep. ■

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Investigating Bush's Crimes

Obama will probably take a back seat on the question—and that's a good thing.

by SCOTT HORTON

JANNA BROWER

When the Obama transition team opened a questions referendum on its popular change.gov website in December, one issue quickly soared to the top. "Will you appoint a Special Prosecutor (ideally Patrick Fitzgerald) to independently investigate the gravest crimes of the Bush Administration, including torture and warrantless wiretapping?" And when Obama stepped to the microphone at his first presidential press conference, the question came again, this time with reference to a Congressional call for a truth commission. Obama's response: "My view is also that nobody is above the law, and if there are clear instances of wrongdoing, that people should be prosecuted just like any ordinary citizen; but that generally speaking, I'm more interested in looking forward than I am in looking backwards." The answer was a slight variation on the theme he has struck consistently since the final days of his campaign. But what does it mean with respect to the criminal accountability of Bush-era policy-makers? Many are inclined to hear confirmation of their hopes—Republicans eager to see the disastrous Bush years passed over without more fuss will stress the intention not to "look back," while Obama supporters who embraced his strong criticism of Bush's torture and surveillance policies will emphasize his observation that "nobody is above the law." Others are displeased with the ambiguity and press for a conclusive decision on the question.

But these exchanges give us the essence of the "no drama Obama" style: he builds support with lofty rhetoric, giving some sense of his policy objectives, but he consciously avoids committing himself to any particular resolution. Obama is not being coy, I think. He means precisely what he says. Accountability is not a part of his affirmative agenda, least of all for his first hundred days, on which the long-term success or failure of his presidential term may hang. An economic stimulus package, healthcare initiatives and a series of foreign policy challenges occupy center stage. Even in the Justice Department, Obama's first objectives involve restoring the institution's self-confidence and resurrecting its historical role in civil rights and voting rights enforcement. It's not that Obama and his senior advisers see the accountability issue as inherently unimportant—on the contrary, they readily admit that it may be the key to long-term resolution of a series of questions surrounding the abusive extension of presidential power. But it is clearly a back-burner issue for them, something better addressed near the end of his first term or, better still, during a second term.

Scott Horton, a senior fellow at The Nation Institute, lectures at Columbia Law School.

Obama's problem is that a growing number of Americans are concerned about what the Bush administration did and are eager to press the issue. The extent of public concern has been reflected in several recent public opinion polls, including one in February by *USA Today* showing that nearly two-thirds of Americans support investigations of the Bush administration's use of torture and warrantless wiretapping; roughly 40 percent support criminal investigations.

And the shift in public opinion is not the only thing transforming the environment in Washington on this issue. Susan Crawford, a Cheney protégée and the senior Bush administration official responsible for the military commissions in Guantánamo, told the *Washington Post*'s Bob Woodward that she refused to approve the charges against Mohammed al-Qahtani because he had been tortured. Torture is, of course, a felony under US law, and if multiple figures are involved, it might well be "conspiracy to torture," a separate crime. As ABC News reported and President Bush later confirmed, the full book of proposed techniques to which Qahtani was subjected had been approved by the National Security Council, headed by Bush. A senior Obama Justice figure remarked after reading the Crawford interview that it would be "impossible to sweep the matter under the carpet." That's a view that seems to be shared by US allies and United Nations officials, who, pointing to Crawford's admissions, are asking why the United States has failed to introduce a criminal inquiry into how torture came to be practiced as a matter of US policy. Articles 4 and 5 of the Convention Against Torture require the United States to prohibit torture under domestic criminal law *and* to investigate and prosecute incidents in which it is practiced. The failure even to begin criminal investigations has placed the United States in breach of its obligations under the treaty, a point that even torture apologists like University of Chicago Law School professor Eric Posner freely concede.

President Bush was widely expected to issue blanket pardons to those involved in his interrogations and surveillance programs, but he did not do so. Moreover, the Bush administration's tenuous claim to legality for its torture programs was ended immediately after Obama assumed office, when he directed a reassessment of interrogation policies and revoked all of the relevant Bush-era Justice Department opinions with the stroke of a pen.

Obama has been careful to avoid any suggestion that he or his senior officers are directing a criminal investigation or prosecution of the Bush-era torture enablers. He is right to do so. The criminal justice system of a democratic state should not operate like a well-oiled military machine taking its cue from the commander in chief. It requires professional prose-

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cutors who operate with critical detachment from political officials when they pursue criminal investigations. Moreover, the painful circumstances of the torture and surveillance programs, particularly the fact that senior Justice Department officials were complicit in their implementation at almost every step, make it an ethically doubtful proposition for the Justice Department even to take up the matter.

Up to this point, political influence has been used to block accountability. Investigations are still under way at the Justice Department and other agencies that touch on important aspects of the Bush administration's detainee policy. One probe is looking into the mysterious destruction of evidence of interrogations using highly coercive techniques that was sought in pending criminal cases. Another probe, nearly complete, is examining the circumstances behind the crafting of the notorious torture memos in the black hole of the Bush Justice Department, the Office of Legal Counsel. Under the Bush administration, these and other investigations were often bottled up, as senior officials refused to cooperate and the White House—which functioned as the nerve center for Justice Department political operations—refused to turn over documents. On occasion, they were shut down directly by order of President Bush. One criminal investigation launched by FBI agents at Guantánamo was ordered closed by the head of the Justice Department's criminal division, Alice Fisher, who may herself emerge as a target of a criminal investigation. Under the transparency policies Obama announced during his first week, and under the detainee policies he is busily putting in place, the administration will unblock internal probes and mandate that federal employees, including White House employees, cooperate with them. Realization that this was in the works may have given rise to President Bush's January 16 "gag letters" issued to Karl Rove, Harriet Miers and Joshua Bolten, instructing them to keep quiet in the face of a Congressional probe about their dealings with the Justice Department.

Leading Congressional Democrats are proposing a way forward. In January House Judiciary Committee chair John Conyers announced a blue-ribbon panel to be appointed to conduct an investigation. He is also proposing that the statute of limitations be modified to take the time pressure off potential criminal investigators. Senate Judiciary Committee chair Patrick Leahy put forth a proposal of his own a few weeks later in a presentation at Georgetown University. Leahy pressed the idea of a "truth commission," similar to the approach used in South Africa after the fall of the apartheid regime. Bush administration officials who come forward and offer a full accounting of their deeds could get immunity for their testimony; those who keep silent or give false statements could face prosecution. The Leahy and Conyers approaches share a number of elements, including the notion that the commission would consist of eminent people who are "above the political fray," would get subpoena power and would be fully staffed and resourced. Both Conyers and Leahy cite the 9/11 Commission as a model—a Congressionally authorized commission backed by presidential authority, a hybrid model that would eliminate some of the potential legal challenges that a purely Congressional commission might face. Conyers is, however, far more concerned about building a solid record that can form the basis of prosecutions, whereas Leahy offers immunity as a reward for candor.

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There are unmistakable signs of momentum in support of a commission approach in Washington. Nancy Pelosi and other Democratic Congressional leaders who once sang in the "let's forgive and forget" choir are now signaling their support for a commission. But what about the Obama White House? Following a meeting between Leahy and Greg Craig, Obama's White House counsel, the White House was committed only to an ongoing discussion.

But the commission approach may, depending on some critical details, offer the best solution to the impasse. Moreover, it may well suit Obama's needs for the commission to be the creation and initiative of Congress rather than of his administration. It would allow a comprehensive investigation without embroiling the White House in the process. A commission would be in a position to put to rest some persistent questions, particularly regarding how torture came to be embraced as a matter of policy and whether the administration ever got actionable intelligence from tortured suspects that could conceivably offset the immense damage that torture has done to the moral authority of the United States around the world. Most significant, if a commission recommended a criminal investigation to the Attorney General, and if it recommended appointment of a special prosecutor, that would deflect suggestions that the process was "political."

On the other hand, investigative commissions do not actually do justice. They cannot bring charges, and in the process of granting immunity for testimony they can muddy the waters for a later prosecutor. Any commission would need the advice and guidance of professional prosecutors, who could help to assure that it would prudently exercise the right to grant immunity and would avoid damaging future prosecutions.

Criminal investigations and prosecutions might be avoided under the Leahy approach and might be delayed under the Conyers approach. But whatever approach is finally settled upon, it seems increasingly clear that there will be multiple investigations: a commission of some sort, Congressional hearings (which are promised in any event) and internal probes within the government, which will likely be pursued delicately and quietly.

Though the wheels of justice grind slowly, they grind exceeding small. One year from today, it is likely that a large number of the secret documents that form the backbone of Bush detention policy will be public and many of their authors will have been publicly interrogated about them. We will have a better sense of how torture crept into the American interrogations system and whose authority was invoked to ram it through in the face of legal hurdles once thought insurmountable. And one year from today, we will probably still be asking whether any of the authors of this national tragedy will or should be prosecuted. That outcome is not likely to satisfy either side of the debate. But it may well be consistent with the interests of justice, which demands a complete exploration of the facts before anyone is held to account. That outcome fully reflects the Obama style. ■

Letters

(continued from page 2)

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Ted Solotaroff & the Cabaret Law

Staten Island, N.Y.

As a longtime professional editor—albeit in less exalted realms than *Commentary* in the 1960s—I thoroughly enjoyed Ted Solotaroff's posthumously published memoir about his editorial flowering among the New York intellectuals ["Adventures in Editing," Feb. 9 and 16]. At one point in his otherwise graceful narrative, however, Solotaroff is overly dismissive of the struggle against the city's discriminatory cabaret law. A committee formed by the literati to protest the law was essentially "a New York celebrity turn," he concludes. "The real action was taking place a thousand miles away at lunch counters in the South."

I have no reason to doubt that the protest was a playground for dilettantes; indeed, Solotaroff's hilarious set piece about their initial meeting is persuasive on that point. But the fight against the cabaret law was, in fact, a response to genuine injustice. In its own way, it was as much a part of "the real action" as the movement to end Jim Crow.

Twenty years after the events described by Solotaroff, I worked for a new administration of reformers who had taken over the New York musicians' union, Local 802. The pages of the union's freshly liberated newspaper, which I edited, were alive with debate on the long-simmering problem of the cabaret law.

Local 802 took the issue to court. Represented by First Amendment attorney Paul Chevigny, we argued that the law had been used since the 1920s to repress popular entertainment for reasons that had little to do with public morality. The licensing scheme targeted those at the margins of society—primarily African-American jazz musicians—interfering with their rights to free expression and meaningful employment.

In 1988 the courts finally struck down the cabaret law's restrictions on the number of musicians and types of instruments allowed in small clubs. By then, of course, Norman Podhoretz and other intellectuals of the '60s had shifted firmly to the right, blown by the winds of the Reagan revolution. That Solotaroff never followed is a tribute to his rigorous intellect and solid principles. This small historical corrective is in no way intended to slight his legacy.
Timothy Ledwith

Did Someone Say 'Double Standard'?

Nyack, N.Y.

Why is it that when Gaza obtains weapons from allies it is termed "smuggling," and we then see intense negotiations and even new technology being readied to make sure "it doesn't happen"? But when Israel gets mega-weapons from the United States it is termed "support," and there is no mention of stopping it?
Jim Glaser

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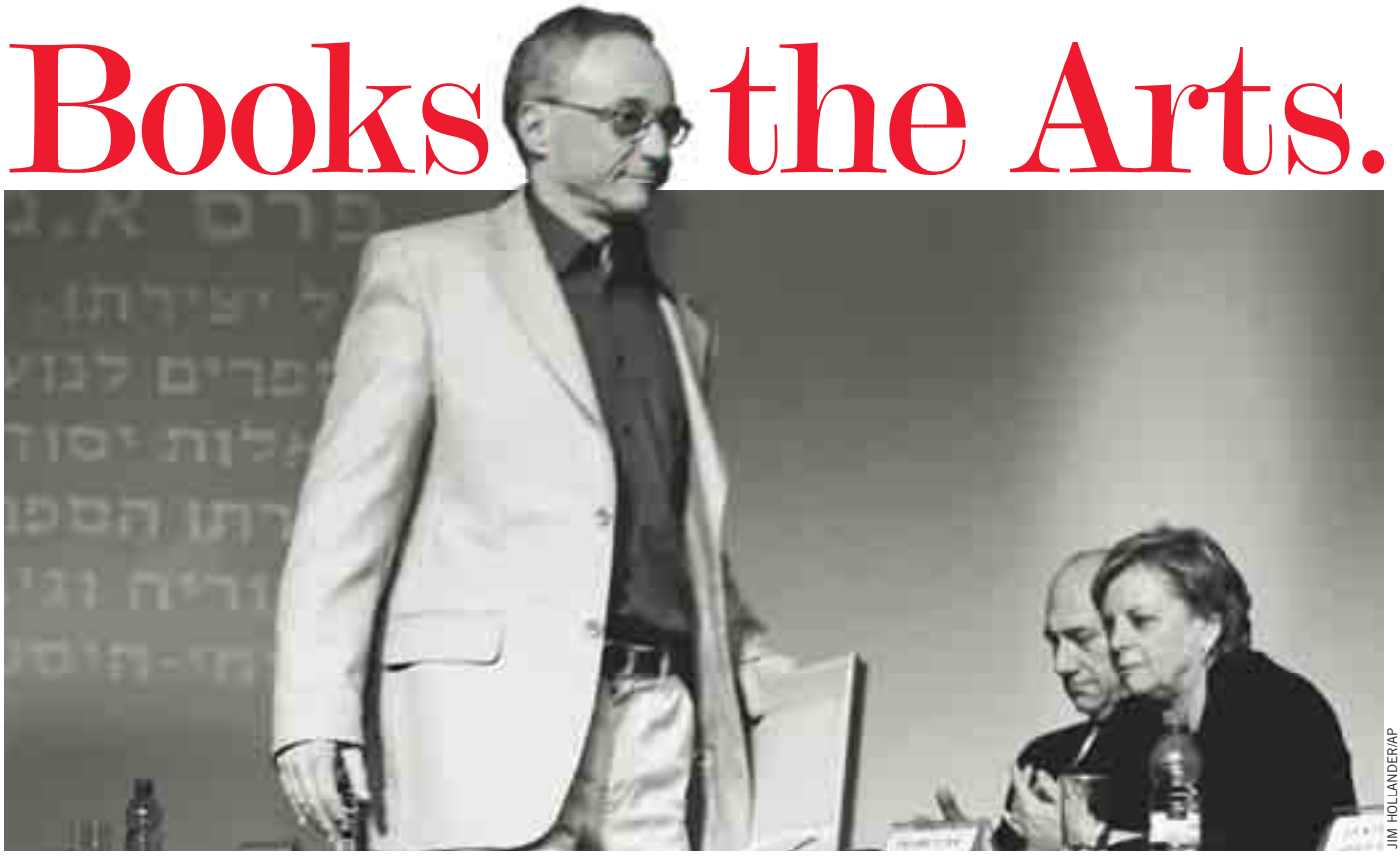

JIM HOLLANDER/AP

David Grossman walks past Israeli Prime Minister Ehud Olmert and Supreme Court president Dorit Beinisch after winning an EMET Prize in Jerusalem, November 7, 2007.

Betrayal

by EYAL PRESS

In 1962, when David Grossman was an 8-year-old schoolboy in Jerusalem, his father handed him a Hebrew translation of Sholem Aleichem's *Adventures of Mottel, the Cantor's Son*, a collection of stories evoking the lost world of the Grossmans' Yiddish-speaking ancestors. "Do you like it?" his father asked. Grossman was too young to understand it, but he managed to make his way through the book and was soon engrossed in a six-volume set of Aleichem's stories, soaking up details about tailors, milkmen and matchmakers. He had come to grasp that his father's gesture was an invitation. "I realized that for the first time, he was inviting me *over there*, giving me the keys to the tunnel that would lead from my childhood to his," Grossman recalled in a recent essay.

Grossman's immersion in Aleichem's fictional universe was so deep that a year later he entered a trivia contest about it hosted by a popular radio quiz show. Soon after, he was hired as a child actor at Kol Israel, the state broadcasting station. "It's a whole reality expressed only through language," Grossman has said. "As soon as I started working at the station, I learned how much you can do with the human voice." While completing his army service years later, Grossman began jotting down poems, songs and confessions in military report logs. He was discovering another use for his voice. Some time later, after an argument with his girlfriend, Michal (who is now his wife), he sat down and wrote his first story, "Donkeys," about an American soldier who escapes to Austria during the Vietnam War. The experience was transformative. "Writing allows me to explore situations that are impossible for me to explore in my life," Grossman has said. "Emotionally, I am an extreme person, and writing makes it possible for me to go on."

Navigating extreme emotions has been a particularly vexing challenge for Grossman of late. Early one morning in August 2006, unexpected visitors roused him from his sleep: they were officers from the Israeli army, come to relay the news that his younger son, Uri, had been killed when a missile struck his tank in southern Lebanon. The incident occurred in the final days of the war against Hezbollah, which began that summer with barely a murmur of dissent in Israel and ended, thirty-three days later, with equally faint popular backing. Grossman, a novelist and longtime peace advocate, had initially supported the war on the grounds that Israel had the right to defend itself against an armed militant group that had attacked it without provocation. But several weeks into the conflict, he appeared at a press conference with the novelists A.B. Yehoshua and Amos Oz (both of whom had also supported the war) to call for a cease-fire and to protest the Israeli government's plan to launch a ground invasion. No cease-fire was brokered; the ground invasion commenced. Two days later came the knock on Grossman's door.

Writing in the Dark
Essays on Literature and Politics.
By David Grossman.
Farrar, Straus and Giroux. 131 pp. $18.

Grossman's latest collection of essays and speeches, *Writing in the Dark*, concerns the impact of grief and violence on the body politic and the private imagination. It is not about Uri, however, whom Grossman has refused to discuss publicly, but rather the precarious and necessary place of literature in a disaster zone. As Grossman observes in the opening essay, "The arbitrariness of an external force that violently invades the life of one person, one soul,

Eyal Press is a Nation *contributing writer and the author of* Absolute Convictions: My Father, a City, and the Conflict That Divided America *(Picador).*

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preoccupies me in almost all my books."

The burden of arbitrary death, and the looming threat of assault and injury, could easily lead an Israeli writer to tell his fellow citizens what many would most like to hear: that they have been saddled with this burden by their enemies. Yet Grossman doesn't offer such false consolation. For him, the act of writing is a process of jarring loose assumptions and stripping away emotional defenses through imaginative journeys into places it might otherwise be too painful or too frightening to go. Some years ago, reflecting on a story he was writing that featured a bitter, emotionally unstable protagonist, he described his desire to have the tale surprise him. "More than that, I want it to actually *betray* me," he wrote.

> To drag me by the hair, absolutely against my will, into the places that are most dangerous and most frightening for me. I want it to destabilize and dissolve all the comfortable defenses of my life. It must deconstruct me, my relations with my children, my wife, and my parents; with my country, with the society I live in, with my language.

When Grossman learned of Uri's death, he was at work on a novel, his seventh, about a woman whose younger son is sent on a military operation and who has a premonition that the mission will end badly. To avoid being home to receive the news, the woman embarks on a walking tour, crossing Israel by foot while scrawling notes about her son in a journal. The book, *Isha Borahat Mibesora* ("A Woman Flees Tidings"), was published, in Hebrew, last spring. Grossman completed it only after he had been dragged by the hair into the nightmare his protagonist strains to avoid.

Grossman's first novel was *The Smile of the Lamb*, the story of an unlikely bond formed between a Palestinian civilian and an Israeli soldier he has captured and threatened to kill. Told in the voices of four interlocking characters, among them a cynical Israeli army commander too jaded to believe in justice, the action unfolds in a small town in the West Bank, a detail that might not qualify as noteworthy today. It was different in the ferment of 1982, the year Grossman completed the book and Israel's invasion of Lebanon sparked massive peace demonstrations in Tel Aviv. Among young Israelis, assumptions about the country's benign regional designs were unraveling. Though Grossman's debut work of fiction drew mixed reviews—the book's Palestinian character, a half-blind hunchback named Khilmi who lives in a cave, is mildly cartoonish—he marked himself as the voice of a new generation, one unafraid to wade across a political and imaginative divide. *The Smile of the Lamb* was the first Israeli novel set in the occupied territories, where becoming jaded about justice was hard to avoid.

In 1986 Grossman published *See Under: Love*, an ambitious reimagining of the Holocaust that unspools in the mind of a 9-year-old boy named Momik, who wants to learn more about "Over There," the mysterious world from which his parents and the other adults with numbers tattooed on their arms had fled. The choice of subject might seem familiar: no issue pervades Israeli culture more thoroughly than the Holocaust, with Yad Vashem the first stop for foreign statesmen and brigades of Western tourists. But *See Under: Love* is set in a different time, when the Holocaust was a source of unspeakable shame in a young nation desperately trying to imbue its citizens with a sense of heroism and national pride. This is the moral universe Momik inhabits, and the same one in which Grossman, who was born in 1954 in Jerusalem, came of age. Grossman's father, a bus driver, fled his native Poland in 1936. His mother was born in Palestine. Though neither of them had numbers tattooed on their arms, Grossman grew up with a keen awareness of how easily this might have been their fate. Every day announcements of people searching for relatives floated across the radio dial: "*Rachel, daughter of Perla and Abraham Seligson from Przemysl, is looking for her little sister Leah'leh, who lived in Warsaw between the years…*" The "silence and fragmented whispers" haunted Grossman because, like Momik, he felt he could not understand a part of himself—where he came from, what he was doing in Israel—without grasping what had happened there. "I had to ask these questions of myself," he says, "and I had to reply in my own words."

A year after the publication of *See Under: Love*, Grossman returned to the West Bank, this time as a correspondent for the small newsweekly *Koteret Rashit*, which had commissioned him to write an article about the occupation. Grossman, who is fluent in Arabic, spent seven weeks roaming around the West Bank. His dispatch filled an entire issue of the magazine and was soon published as a book, *Ha-Zeman Ha-Tzahov* ("The Yellow Time"). Israelis were shocked by its unflinching portrait of the hatred brewing in the territories and its suggestion that the plight of the Palestinians in some ways mirrored the travails of another exiled people, the Jews. As Grossman listened to an elderly Arab woman rhapsodize about the beautiful vineyard in the village in Israel where she once lived, he was reminded of his grandmother, who had been expelled from Poland. Later, at a military court in Nablus, he watched a Palestinian youth get sentenced for an offense that wasn't on his charge sheet and was moved to quote Orwell's essay "Shooting an Elephant": "when the white man turns tyrant it is his own freedom that he destroys." Grossman's narrative was suffused, sometimes to the point of excess, with anguished introspection, leading some to dismiss it as the work of a *yafeh nefesh* ("beautiful soul"), a bleeding heart. Yet the book became a bestseller in Israel, and by the time it was translated into English and issued under a slightly altered title, *The Yellow Wind*, the first intifada had broken out, lending the book a prophetic glow.

Grossman hadn't seen the uprising coming. What he did notice was that serial abuses in the occupied territories corresponded with the serial abuse of language in Israel. Amos Oz once remarked that his excursion into writing political essays after the outbreak of the 1967 Six-Day War was triggered by a "linguistic reservation," his objection to the use of the word "liberated territories." (Only people, not mountains or valleys, can be liberated, Oz maintained.) Grossman underwent a similar awakening. At the time he received the assignment from *Koteret Rashit*, he was working as the anchor of a popular morning news program at Kol Israel. Not infrequently, the job required him to read brief items about violent incidents that had taken place in the West Bank or Gaza Strip—"A local youth was killed during disturbances in the Territories." Afterward, he would marvel at the "shrewdness" of the sentence:

> "disturbances"—as if there were some order or normative state in the Territories that was briefly disturbed; "in the Territories"—we would never expressly say "the Occupied Territories"; "youth"—this youth might have been a three-year-old boy, and of course he never had a name.

Novelists may be uniquely equipped to detect these perversions of language, but this doesn't necessarily make them astute political observers. Yet as his next book affirmed, Grossman brings to his reporting a related skill: the art of listening. *Sleeping on a Wire* was built around conversations with Arab-Israeli artists, activists and citizens, a community rarely invited to remark on what kind of society "the Jewish state" should be. Unlike Oz, who composed his political writings at a safe distance from Arabs, Grossman anchored his observations in dialogue with them. The difference is not incidental: unlike

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many people in the Israeli peace camp, Grossman has never longed for a settlement that will separate Jews and Arabs. In *Sleeping on a Wire*, through the voices of people like Nazir Yunes, an Arab-Israeli doctor who described being turned away from a swimming pool after his children were overheard speaking Arabic, Grossman showed that the bitterness and frustration about Israel is not limited to Palestinians in the West Bank. He also tested the limits of his tolerance: for all his good will, Grossman found it challenging and unnerving to stand back and let his subjects do the talking. Hearing an Arab intellectual call for street protests in one scene, he felt himself recoil: "He speaks, and something unpleasant is slowly revealed to me.... How real and sincere is my desire for 'coexistence' with the Palestinians in Israel?" It was precisely this tension that lent the book its poignancy.

Grossman's writing is radical in its determination to see past the limits of politics.

The high cost of concealing what is unpleasant has long preoccupied Grossman, and his willingness to pose questions that discomfit Israel's Jewish majority has led some people to label him a "post-" or "non-Zionist" Israeli (the critic Jacqueline Rose once described him as a "non-Zionist Zionist" in the *London Review of Books*). Such labels are misplaced. "The basic inspiration for Zionism was a noble idea," Grossman told *The Paris Review* in 2007. Despite his belief that a writer should hold nothing sacred, Grossman is a patriot who will go only so far in criticizing Israel, as was apparent during the recent war in Gaza. In an editorial in *Ha'aretz* published a few days after the conflict began, Grossman called for a ceasefire but did not question the decision to launch the attack.

Such views inevitably disappoint Israel's more unqualified critics, some of whom treat Grossman as one more apologist for the Jewish state's crimes. He would likely take their disappointment as a compliment. The radical element in Grossman's work lies not in his politics but in his determination to see past the limits of politics: to peel away the labels—"Arab," "Jew," "victim," "terrorist"—that color and distort how Israelis and Palestinians regard each other. In *The Yellow Wind*, there is an image of a corrupted body: the West Bank is "that kidney-shaped expanse of land" Grossman feels has been transplanted into him "against my wishes." It is the diagnosis of a universalist who clearly believes the germ of cruelty can infect anyone, the moment one erases another person's humanity, the moment one begins to speak a "*mass language*—a language that will consolidate the multitude and spur it on to act in a certain way, formulating justifications for its acts and simplifying the moral and emotional contradictions it may encounter." In a region overpopulated with hard men and women who view the world through a narrow prism, Grossman is that rare thing: a humanist who considers any form of certainty, not least his own, to be a trap.

Writing in the Dark is less a work of literary criticism or political analysis than an extended rumination on the struggle and the thrill of shaping words into stories and reclaiming their meaning and beauty from the "language defrauders and language rapists." The book is a response to a question Grossman first explored in *See Under: Love*, where he imagined what might have happened to him had he been stuck in a concentration camp: "What was the thing inside me that I could hold up against this attempt at erasure?" Grossman's answer reaches back to his novel *Be My Knife* (1998), the story of an epistolary love affair between two former classmates who never consummate their physical desires. "Listen," Yair, who makes his living selling rare books, informs Miriam:

> I once read that Our Sages of Blessed Memory had the idea that we have one tiny bone in the body, above the end of the spine—they call it the "Luz." You can't kill it, it doesn't crumble after death and can't be destroyed by fire.

One suspects it is his Luz that has prevented Grossman from sharing the fate of one of his most endearing creations: the protagonist of his 1991 novel *The Book of Intimate Grammar*, a 12-year-old boy named Aron Kleinfeld, who is given to daydreaming, comic impersonations and turning words over in his head for the sheer pleasure of their sound. The novel is set on the eve of the Six-Day War, in a nation whose inhabitants speak a new, emancipated language. Yet the more Aron listens to the adults around him—the crude vows to crush the Arabs, the mangled syntax of their sentences—the more alienated he feels. To escape the suffocating atmosphere, he retreats into a cocoon, smuggling damaged words through the doors of the secret hospital he has created to perform surgery on them. All Aron wants is the freedom to invent stories and to dream, which is enough to make him a chronic misfit in a society where boys are supposed to be like his best friend, Gideon, a scout who aspires to be a fighter pilot. In the book's closing scene, having fallen in love with a classmate named Yaeli—who, naturally, falls for Gideon—Aron escapes from his misery by locking himself inside an abandoned refrigerator in a junkyard.

Like Aron, Grossman belongs to the generation of Israelis who celebrated their bar mitzvahs around the time of the Six-Day War. Like Aron, he was introverted and bookish, sensitive to the suppleness of language, aware of the pollutants that can contaminate it in a society where words are used as blunt instruments. Yet the parallels between novelist and protagonist may be too neat, since in recent years Grossman's faith in language has wavered. "I have to admit that many times I feel that words can no longer penetrate the screen of horror," he wrote in the preface to his essay collection *Death As a Way of Life* (2003), which charts the rise and fall of his hopes for peace in the tumultuous decade after the Oslo Accords. In one of the essays, composed after a string of suicide bombings prompted a further escalation of Israeli attacks, he concludes by informing the reader, "What I feel like doing now is not writing an article. I actually feel like taking a can of black spray paint and covering every wall in Jerusalem, Gaza and Ramallah with graffiti: LUNATICS, STOP KILLING AND START TALKING!"

During the second intifada, Grossman grew decidedly less forgiving of the Palestinians—of Arafat's double talk, of the nihilism behind suicide attacks—and less hopeful about the prospects for lasting peace. Though he never stopped criticizing the occupation or drawing attention to the suffering of civilians in the West Bank and Gaza Strip, his language lost some of its verve. *Death As a Way of Life* lacks the vigor of *The Yellow Wind* and *Sleeping on a Wire*, in no small part because instead of scaling walls its author seems hemmed in by them. The book reads like a lament for a lost opportunity for ordinary people to experience in their daily life something Grossman views as one of literature's animating impulses: the power to dissolve the distance between oneself and "the Other." "The purpose of literature," Grossman writes in "The Desire to Be Gisella," the most searching essay in *Writing in the Dark*, is to redeem a character in a story "from alienation and impersonality, from the grip of stereotypes and prejudices...to comprehend all the facets of one human

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character: its internal contradictions, its motives and inhibitions," and then to realize that many of the same emotional currents course through yourself.

The toll of the conflict has also reverberated in Grossman's fiction. In books such as *Someone to Run With* (2000), an entertaining if slightly saccharine novel that explores the world of street kids, drug dealers and stray dogs in Jerusalem, and *Her Body Knows* (2002), a pair of novellas about the perils of passion and jealousy, there was little trace of the surrounding atmosphere, a fact that did not go unnoticed by critics. In *The New York Review of Books*, Gabriele Annan expressed surprise that "there is scarcely an Arab to be seen" in *Someone to Run With*, this from a novelist who "is also a political journalist who has written about life in Arab villages." The omission was no accident, and it prompts one to wonder whether Grossman's desire to see past labels, coupled with exhaustion, is narrowing instead of deepening his scope. As Grossman told an audience in New York City in the spring of 2007, "in the works of fiction I have written in recent years, I have almost intentionally turned my back on the immediate, burning reality of my country, the reality of the latest news bulletin." He wanted to write "about other things, things no less important, things for which it's hard to find the time, the emotion, and the total attention, while the near-eternal war thunders on outside."

Retreating from the shadow of war is a familiar habit among Israeli novelists. Writers who grew up in the aftermath of 1948 sought to slip the chains of collectivism forged during the decades of kibbutzim and youth movements, of Chaim Weizmann and David Ben-Gurion. As the critic Hillel Halkin has noted, the literature of this generation abounds with figures such as Yonatan Lifshitz, the protagonist of Amos Oz's *A Perfect Peace*, who longs "to be alone at last, entirely alone, to find for himself what it was all about." Oz and his peers sought to refurbish what Yaron Ezrahi has termed "the impoverished language of the Israeli self" by overcoming the "difficulty of discovering or inventing one's private voice in the midst of this chorus of pioneers, all singing the epic of the return of the Jews from exile and the resurrection of our ancient language in the Holy Land." A half-century later, Grossman arrived at the end of a week filled with turmoil and, in his diary, noted what he'd forgotten to think about: his children, his family, his twenty-fifth wedding anniversary. "So many cherished things and private moments are lost to

Poem

(*circa 1185*)

I love the jubilance of springtime
When leaves and flowers burgeon forth,
And I exult in the mirth of bird songs
Resounding through the woods;
And I relish seeing the meadows
Adorned with tents and pavilions;
And great is my happiness
When the fields are packed
With armored knights and horses.

And I thrill at the sight of scouts
Forcing men and women to flee with their belongings;
And gladness fills me when they are chased
By a dense throng of armed men;
And my heart soars
When I behold mighty castles under siege
As their ramparts crumble and collapse
With troops massed at the edge of the moat
And strong, solid barriers
Hemming in the target on all sides.

And I am likewise overjoyed
When a baron leads the assault,
Mounted on his horse, armed and unafraid,
Thus giving strength to his men
Through his courage and valor.
And once the battle has begun
Each of them should be prepared
To follow him readily,
For no man can be a man
Until he has delivered and received
Blow upon blow.

In the thick of combat we will see
Maces, swords, shields, and many-colored helmets
Split and shattered,
And hordes of vassals striking in all directions
As the horses of the dead and wounded
Wander aimlessly around the field.
And once the fighting starts
Let every well-born man think only of breaking
Heads and arms, for better to be dead
Than alive and defeated.

I tell you that eating, drinking, and sleeping
Give me less pleasure than hearing the shout
Of "Charge!" from both sides, and hearing
Cries of "Help! Help!," and seeing
The great and the ungreat fall together
On the grass and in the ditches, and seeing
Corpses with the tips of broken, streamered lances
Jutting from their sides.

Barons, better to pawn
Your castles, towns, and cities
Than to give up making war.

BERTRAN DE BORN

(*Translated from the Provençal by Paul Auster*)

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fear and violence," he sighed. "So much creative power, so much imagination and thought, are directed today at destruction and death (or at guarding against destruction and death)."

And yet the situation Grossman finds himself confronting in Israel today is arguably the opposite of what Oz's generation faced. When Israelis come home from work these days, they don't instantly engage in heated debates about what happened in the Knesset, much less in Nablus or Ramallah. Quite often, they turn on a reality show, or flip open a laptop and network on Facebook. Although the age of the kibbutz is long gone, the language of the Israeli self is again impoverished, this time laid waste by solipsism and detachment. Grossman's *A Woman Flees Tidings* was a runaway bestseller in Israel, perhaps because of what readers knew its author had suffered, perhaps because it recounts a scenario so familiar in a nation where losing a child to war is an almost universal fear, or perhaps because, as historian Tom Segev suggested to me, the book taps into a widely shared desire to escape, to flee bad news. The problem in Israel today isn't too little space for private concerns, one could argue, but apathy and cynicism about public ones.

Despite his disappointment with the conduct of Israeli and Palestinian leaders, Grossman hasn't succumbed to fatalism. In 2006, on the eleventh anniversary of the assassination of Yitzhak Rabin, only a few months after Uri's death, he delivered a speech in which he called on Israel's leaders to stop making excuses and talk to their enemies (the speech is reprinted in *Writing in the Dark*). Yet in a society that, for the moment, is circling inward, walling itself off from the larger world to avoid further disappointment and pain, even as the rage around it builds, it's hard not to wonder whether this "troublemaker and magician," as the critic John Leonard once described Grossman, feels choked off. Grossman's best work shows how much can be wrung out of unsettling encounters with the unfamiliar, from entering "the vortex of [one's] greatest fear and repulsion," as he put it in *The Yellow Wind*, and emerging mended, enlarged, purified. It would be difficult to think of someone more entitled to withdraw into himself than Grossman. But it's equally hard to imagine this bringing him much satisfaction, not least because he knows that those who retreat inward only flee further from the truth. "A society in crisis," he once said, "teaches itself to congeal into one story only and sees reality through very narrow glasses. But there is never only one story." ■

Bad Paper

by JOHN PALATTELLA

A little over a year ago, Doubleday published a study of the rise of neoconservatism called *They Knew They Were Right*. The book has the trappings of a serious work of original research, such as extensive endnotes about primary sources, suggesting that its author, Jacob Heilbrunn, had toiled in archives and periodical reading rooms. In a review that appeared in this magazine ("Out of Place," June 23, 2008), Corey Robin argued that in its materials and its method *They Knew They Were Right* is marred by blemishes large and small. Besides recycling lots of well-known history, Heilbrunn reuses without attribution the language, argument and research of several writers. Robin's suspicions were aroused when he noticed that Heilbrunn had pilfered material from an article Robin had published in the *London Review of Books*. After he recovered from the mugging, Robin opened Heilbrunn's book to a random page, arbitrarily chose a fact-laden passage and set about vetting it. This passage, too, was tarnished by shoddy sourcing. Robin then undertook a more systematic investigation, and after finding several dozen instances of

Heilbrunn, *They Knew They Were Right*:

> For example, on April 30, 1981, [Reagan] remarked, "Even at the negotiating table, never shall it be forgotten for a moment that wherever it is taking place in the world, the persecution of people for whatever reason…persecution of people for their religious belief…that is a matter to be on that negotiating table or the United States does not belong at that table." But the *New York Times* reported on the same day that "after the speech, a White House spokesman said Mr. Reagan had not meant to alter his policy of playing down the rights issue in foreign relations."

Derian, "Some of Our Best Friends Are Authoritarians," *The Nation* (November 7, 1981):

> On April 30, *The New York Times* quoted President Reagan as having said that "even at the negotiating table, never shall it be forgotten for a moment that wherever it is taking place in the world, the persecution of people for whatever reason… persecution of people for their religious belief…that is a matter to be on that negotiating table or the United States does not belong at that table." In the same edition of *The Times*, a front-page story reported that "after the speech, a White House spokesman said Mr. Reagan had not meant to alter his policy of playing down the rights issue in foreign relations."

Heilbrunn:

> Reagan was initially rather disdainful of human rights, which he showed unmistakably by nominating Ernest Lefever, a member of the Committee on the Present Danger as well as the Washington-based Ethics and Public Policy Center (which Abrams himself would head in the 1990s), to be assistant secretary of state for human rights and humanitarian affairs. Lefever had declared that human rights were irrelevant to U.S. foreign policy and, furthermore, that any legislation making foreign aid conditional on a nation's observance of human rights should be repealed. The Senate Foreign Relations Committee, which had a Republican majority, rejected his nomination.

Derian:

> The President nominated Ernest Lefever to be Assistant Secretary of State for Human Rights and Humanitarian Affairs. Lefever's publicly stated views on the subject were (*a*) that all legislation making foreign aid conditional on a nation's observance of human rights should be repealed and (*b*) that human rights had no place in U.S. foreign policy. The Senate Foreign Relations Committee, with a Republican majority, handed the President his first important defeat by voting 13 to 4 to reject the nomination.

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ambiguous sourcing, he concluded that "on at least two occasions, [Heilbrunn] expropriates the research of others without attribution. And on at least one occasion, he passes off the prose of another writer as if it were his own."

When I learned in September that Anchor Books would be publishing a paperback edition of *They Knew They Were Right*, I sent Robin's review to Anchor's editorial department. In an accompanying note I explained that Heilbrunn and Doubleday hadn't replied to Robin's review. That is, the author and his publisher hadn't challenged the claim that the book contains passages of stolen material, and that the similarities between the passages point to a larger pattern of unacknowledged sourcing and plagiarism that can't be attributed to chance or dismissed as innocent mistakes. This I found peculiar. Did the author of *They Knew They Were Right* really think he had done nothing wrong?

A reply from Anchor never arrived, but a change in the paperback edition of *They Knew They Were Right*, which appeared in January, reveals that Heilbrunn (or his editor) read Robin's review. The passage with material lifted from Robin's *London Review of Books* article has been retrofitted with a modifying clause: "As Professor Corey Robin has noted…" Heilbrunn doesn't identify the *LRB* article as his source—a typical lapse that makes the correction cosmetic. Why name-check Robin but not cite his article? And which is ultimately worse: the original error or the botched, if not disingenuous, correction? Stranger still is the fact that Heilbrunn corrected the least egregious offense flagged by Robin, leaving unmodified other instances of unattributed expropriation, including language harvested verbatim from a 1981 article by Patricia Derian about President Reagan's human rights policies (see box on page 30). By choosing only to right the wrong done to Robin, the author of a critical review of his book, Heilbrunn seems to have mistaken an intellectual offense for a personal one. Either he doesn't understand the evidence of plagiarism presented by Robin or he just doesn't care.

If *They Knew They Were Right* is careless, parasitical and occasionally dishonest, the paperback publication of the title is disheartening. Launched in 1952 by Jason Epstein, an editor at Doubleday, Anchor is one of the country's oldest and most eminent publishers of trade paperbacks. As Epstein explained in an article in *Publishers Weekly* in 1974, the idea behind Anchor was to reissue out-of-print hardcover titles in inexpensive, well-designed paperback editions tailored to "a much smaller and more specific audience, mainly academic, literary, highbrow—specialized in these and other ways." Success came quickly. By 1954 Anchor's sales "were over six hundred thousand copies for the year," writes Kenneth Davis in *Two-Bit Culture* (my source for Epstein's remarks), reaching beyond the target readership at universities to local booksellers. The titles flying from the racks included Theodor Herzl Gaster's *The Dead Sea Scriptures*, William Whyte's *The Organization Man*, Freud's *Civilization and Its Discontents* and Robert Graves's *Good-bye to All That*. With its sloppy sourcing and borrowed reasoning, *They Knew They Were Right* is a blot on all that.

Since the publication of *They Knew They Were Right*, Heilbrunn has been busy contributing articles to the "Week in Review" section of the Sunday *New York Times* and to the paper's *Book Review*. The editors of the *Book Review* found *They Knew They Were Right* worthy enough to be among their 100 Notable Books of 2008. The economy may be drowning in toxic debt, but the paperback reincarnation of *They Knew They Were Right*, an altogether different species of bad paper, suggests there's still nothing like failing upward. ■

Four-Syllable Lines (Monody)

Sweet unrest still
Wood harsh dismal
Slope of a hill
Darkening air
She's the target
Force-drift and thrown
Dismissed rash tear
I would, can, did
Slip in a hole
Now stab butt out
Doting body
Been thrown below
She's the it girl
Her epic dust

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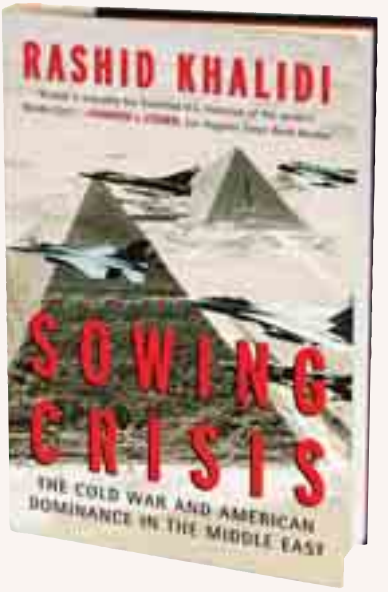

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—*Publishers Weekly*, starred review, Pick of the Week*

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MARK MAINZ/AP

Joni Mitchell and Herbie Hancock perform in Los Angeles on March 20, 2008.

Chameleon

by DAVID YAFFE

Last year, at the fiftieth annual Grammy Awards in Los Angeles, just when everyone expected Amy Winehouse to slur her way through another acceptance speech via satellite from London, the award for Best Album of the Year went to Herbie Hancock for *River: The Joni Letters*, a meditation on the music of Joni Mitchell. Hancock, a Nichiren Buddhist, began his acceptance speech with a chant—"Joni Mitchell, Joni Mitchell, Joni Mitchell"—then quickly changed the subject. What he might have gone on to say is that since he first played with Mitchell in 1979, he has always been attuned to what many have called her "weird chords." But he only recently began paying attention to her lyrics, and with *River: The Joni Letters*, he belatedly began a full examination of her musical soul. The album attempts to call a truce between virtuosity and popularity—between popular taste and taste itself. In Los Angeles, that truce was a victory for jazz: Hancock became just the second jazz musician in Grammy history to receive the Best Album honor. (The first was Stan Getz, who won for *Getz/Gilberto* in 1964.) At the Grammy Awards, jazz musicians often ride in the back of the bus: the Best Jazz Album category is typically relegated to a separate B-list ballroom ceremony that isn't televised. At 67, Herbie Hancock, a tireless barrier breaker, had done it again.

Before his acceptance speech, in a duet with the classical pianist Lang Lang, Hancock performed a "Rhapsody in Blue" that segued from a classical stretch into a Gershwinesque improvisation—an approach consistent with a career pattern that started in 1951 when, as an 11-year-old piano prodigy, he played a Mozart movement with Rafael Kubelik and the Chicago Symphony. By the time Hancock joined Miles Davis's "second great quintet" in 1963—"Nice touch," rasped the typically laconic Davis to Hancock, which meant "You're in"—his eclecticism was insatiable. As generations have passed and rock 'n' roll, funk and hip-hop have drowned out jazz's place in popular culture, Hancock has been neither ashamed nor abashed to test his formidable chops on the latest musical thing. His dance tunes gyrate with adolescent verve; his commercial instincts are often impeccable and just as often shameless.

During the 1970s Hancock played with the Head Hunters, whose name was a racial epithet flipped into a moniker of pride, a gesture that anticipated hip-hop by more than a decade. Hancock and the band gave the world "Chameleon," a song that still belonged to the discos and the streets long after it was released in 1973. It starts with a Moog bass line that doesn't quit, egged on by funky drumming. Hancock wails on the Fender Rhodes, the ARP, the Hohner clavinet. It took a lot of electronic gear to fill in for a piano. Yet Hancock hadn't abandoned his classical touch: taking a simple musical idea introduced by a single instrument (the Moog bass) that swells into a multi-instrumental crescendo, "Chameleon" is a funked-up "Bolero." Behind it all are the trademark "Herbie chords," adding hints of atonality without abandoning melody, embracing lyricism while eschewing sentimentality. Hancock can invoke Debussy and Ravel in his chord structure and still get funky when the mood strikes. Like the lizard of the tune's title, he is an adaptive creature.

Unlike Miles, who refused to return to acoustic jazz once he left it behind in 1968, Hancock has boomeranged from acoustic piano to the newest synthesizer, from a VSOP gig with his Miles classmates to prospecting for the next electronic hit. He found it in 1983 with "Rockit," a song whose popularity was boosted by a creepy Goldey and Crème video in which Hancock's image is relegated to a television monitor upstaged by mannequin limbs rocking to a simple melody set to an electronic beat, mix-mastered records and all. Paul Simon once sang that every generation throws a hero up the pop charts. Very few of them have been jazz musicians. For those of us who got our childhood musical information from early MTV, "Rockit" was a strange introduction to Herbie Hancock, but no less so than seeing *River: The Joni Letters* steal the spotlight from Amy Winehouse and her beehive nearly twenty-five years later.

Crossing over doesn't always pay off—even for Hancock, jazz's savviest CEO. Jazz, unlike pop, cannot subsist on shamelessness alone, and *River: The Joni Letters*, while imperfect, is the culmination of an experiment that began with the impeccably flawed *The New Standard* (1996) and continued with the sumptuous *Gershwin's World* (1998), a kind of musical purgation. On *Gershwin's World*, Hancock and his special guests play standards by the title composer along with tunes by Ellington ("Cotton Tail") and James P. Johnson ("Blueberry Rhyme"), among others. Stevie Wonder busts out W.C. Handy's "St. Louis Blues," a thrilling summit meeting between Stevie chords and Herbie chords, and one example of why *Gershwin's World* is an irresistible and wonderfully unpredictable pairing of musicians and composers. Hancock's rhythms and attacks—how he approaches each note of familiar repertory—are as idiosyncratic as his chords. Gershwin, whose melodies and

David Yaffe, the Gould Faculty Fellow in the Humanities at Claremont McKenna College, is the author of Fascinating Rhythm: Reading Jazz in American Writing *(Princeton).*

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rhythms jazz musicians love to raid, and who needs no transfiguration, is transfigured nevertheless. Hancock tells all the truth and tells it slant.

Joni Mitchell sings two tracks on *Gershwin's World*: "The Man I Love" and "Summertime." In both tunes, Hancock's piano lines are so ornate that Mitchell has to land in the few counterintuitive spots left for her. "Someday he'll come along, the man I love," she sensuously rasps, perhaps launching a dart at her sideman. Voice and piano compete for space and find an entente. Hancock had introduced Mitchell to this kind of radical rhythmic and harmonic shake-up in 1987, when he invited her to sing a drastically recast version of "Hejira," which she had first recorded in 1976, as an up-tempo samba for broadcast on a Showtime program he was hosting. She had to just trust the musicians around her, including Hancock and saxophonist Wayne Shorter, and dive right in; vocalist Bobby McFerrin would be standing by her too, grounding her with every falsetto utterance. Mitchell's performance on *Gershwin's World* received raves, but it took years until she could bring herself to listen to it; she was stunned that she could channel her inner Billie Holiday in the midst of such dense pianism. Hancock was overwhelmed. He told her she was the best jazz singer alive.

The New Standard is more of a problem, a failed experiment. The album features stellar playing, particularly by Hancock, who on the lead track, Don Henley's "New York Minute," plays with cunning virtuosity, not to disguise his banal source material but just to show off. *I can make Don Henley swing! Here he is in double time! Whoooosh!* The album's subsequent selections and pairings are equally irresistible and unpredictable, including a delicate, bluesy take on Nirvana's "All Apologies" with guitarist John Scofield strumming electric sitar. Stevie Wonder's "You've Got It Bad, Girl" is reconceived for an extended rumination that includes allusions to Miles's recording of Hancock's "Riot." While the album contains stunning playing—and songs like Wonder's need no help—it's mostly precious. Herbie chords, along with his sweeping cadenzas, stoop to lend credibility to pop songs that don't lend themselves particularly well to the sobriquet "new standards." How clever, how sophisticated; but why?

Starting with *Bitches Brew*, Miles would subtitle his albums "Directions in Music," which did not necessarily bode well. Miles seemed smitten with the notion that his music was so heavy that it transcended the limits of a single LP. He had found a new way to turn his back to the audience while he performed. Hancock made a similar statement about his work starting with *Gershwin's*

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World—his recordings would not merely be collections of songs but major statements. On *The New Standard*, it's a platform with a trapdoor. Besides, Miles was downplaying the fact that some of the greatest recordings he ever made were the four albums he cut in a single session just to fulfill his Prestige contract—*Workin'*, *Cookin'*, *Steamin'* and *Relaxin'*. Quality, in other words, is no slave to ambition.

Because of many years of deep musical empathy between Mitchell and Hancock, and because Hancock has made so many wise decisions, there is more cause for admiration than complaint about *River: The Joni Letters*. Quality and ambition play a rich duet. Hancock apparently directed each supporting musician—including the weird, precise and brilliant Wayne Shorter, who has been reading Mitchell's musical mind on a regular basis since their first collaboration in 1977, and drummer Vinnie Colaiuta, who toured with Mitchell in 1983—as though each were an actor offering an interpretation of a part. And the interpretations often go way off script, as a music based in improvisation should. Shorter was a particularly crucial choice. Between 1959 and 1968, when he was the house composer for Art Blakey and Miles, and making a string of brilliant Blue Note albums under his own name, Shorter forever altered the language of jazz composition. Later, when he was being pushed further into the electric din of Weather Report, he got the call to play with Mitchell, first on *Don Juan's Reckless Daughter* (1977) and then on every album that followed, except for *Shine* (2007) because he was unavailable.

On *River: The Joni Letters*, Hancock approaches Mitchell's music in a different spirit than he did with most musicians' tunes (Stevie Wonder's excepted) on *The New Standard*. After all, Mitchell's music certainly didn't need to be rearranged to be complex. "River," the title track, from Mitchell's 1971 album *Blue*, is a sublimely downtrodden anti-Christmas song. Like the narrator of Irving Berlin's "White Christmas" lamenting Hollywood's snowless winters, the song's narrator, stuck in her Laurel Canyon pop-star pad, suddenly becomes nostalgic for her Central Canada girlhood, where it seemed that all it took to escape was a frozen river. The pop star ingénue, selfish and sad, wishes she could re-create her childhood climate just so she could put on a pair of skates and make her baby cry. "River" is a morbid serving of schadenfreude, but the imagery of the lyrics and the melancholic yet melodic attack of Mitchell's mellifluous voice keep the song from falling over the edge and sinking into mere self-pity. When, since Keats, has melancholy been so beautifully distilled? And what could even a powerhouse like Hancock add to something so subtle yet so raw?

Hancock and Mitchell first worked together on *Mingus* in 1979, a project Mitchell undertook with the great composer and bass player Charles Mingus while he was dying of Lou Gehrig's disease. (He didn't live to hear the completed record.) Mitchell had been edging toward jazz in her previous albums, and *Mingus*—which began with her producing a vocalese setting of Mingus's melodies, all composed by weakly singing them into a tape recorder—brought her closer still. Mingus was not in top form during their collaboration, and eventually the work left him unable to speak; many of his wishes for the collaboration remained a mystery. And so without Mingus to guide her, she leaned on a roster of Miles Davis veterans (with the exception of Jaco Pastorius) who would take her as far as she wanted to go. Hancock, on the Fender Rhodes, an instrument no Mingus sideman ever used, gave as much as he could on an album with no real solos. You can hear Hancock waiting for a space, then grabbing it for a dazzling, well-wrought riff; behind songs like "Sweet Sucker Dance" and the classic "Goodbye Pork Pie Hat," his lines sound like complicated questions for which only he could provide the answer. Yet more than any musician on the album—even bassist Pastorius, who seemed to use the Mingus material as an excuse for virtuosic fretless digression—Hancock pushed Mitchell along on the crossover. She used her voice to summon the life and channel the soul of a recently deceased jazz giant—she sang about triumphs on Fifty-second Street and staring down death in Mexico. After *Mingus* Mitchell drifted away from jazz, sometimes running aground on a wave of synthesizers. But jazz didn't drift away from her: the lyrics she sang on that album are still sung at Mingus Big Band performances, and Hancock would come calling again in 2007.

On 'Edith and the Kingpin,' the Herbie chords splash and simmer, reinvigorating a sordid tale.

If *River: The Joni Letters* were an instrumental album, it would be nearly flawless, but, of course, it would also miss the point. Hancock has said that before the album, he had never thought seriously about lyrics—a startling admission. One way to approach *River: The Joni Letters*, then, is to listen to it as Hancock's first attempt to integrate lyrics into his already fecund musical atmosphere. (An ill-conceived Carnegie Hall performance with vocalist Sonya Kitchell last June was a reminder that Hancock's learning curve is gradual.) On two of the album's ten tracks, "Both Sides Now" and "Sweet Bird," Hancock's exploration of Mitchell's lyrics is downright brazen. "Both Sides Now," which appeared on *Clouds* (1969), is Mitchell's most ubiquitous standard—more than 500 cover versions of it have been made by a staggering range of musicians (Dolly Parton, Frank Sinatra, Doris Day and Dizzy Gillespie are just a few). Hancock must have counted on ubiquity for a subtle interpretive audacity—turning the song, which is, broadly speaking, about fantasy and reality, into an instrumental tune that is as ruminative as it is oblique. It is only at the track's midpoint when a few bars of the melody are stated, as if this elliptical instrumental interpretation were somehow operating beneath the song.

In the less well-trod "Sweet Bird," from *The Hissing of Summer Lawns* (1975), Mitchell, a lonely painter, sees narrative in a face—"Behind our eyes, calendars of our lives, circled with compromise"—while also remarking about the "vain promises on beauty jars." But the song is not about vanity: it's about being acutely aware of time. "I lay down golden in time," sings Mitchell in the original, "and woke up vanishing." In Hancock's version, it's the lyrics, among Mitchell's masterpieces, that have vanished. But the melody, stated by Hancock and Shorter, converses instrumentally with one of Mitchell's most beautiful lines: "Sweet bird of time and change you must be laughing." Hancock and Shorter attempt to capture that mood like lightning in a bottle. They move past the melody and on to synchronicity, trading phrases and then piecing them together, the whole exchange dominated for a few bars by Shorter's breath—like an introspective, perhaps ironic laugh from that sweet bird of time and change—before fading out on Hancock's vamp.

"The Tea Leaf Prophecy" first appeared on Mitchell's *Chalk Mark in a Rainstorm* (1988) with a couple of dueling synthesizers and a backing chorus of Wendy and Lisa (from Prince's *Purple Rain*–era band) singing the old folkie slogan "Study war no more." On *River: The Joni Letters*, the synthesizers, the backing vocals, even the saying have been stripped away. The 2007 version was recorded shortly after Mitchell's mother, Myrtle McKee Anderson, died. The original recording used a pseudonym: Molly McGee; Hancock's version reverts to Myrtle McKee. The song is haunting, a pop song

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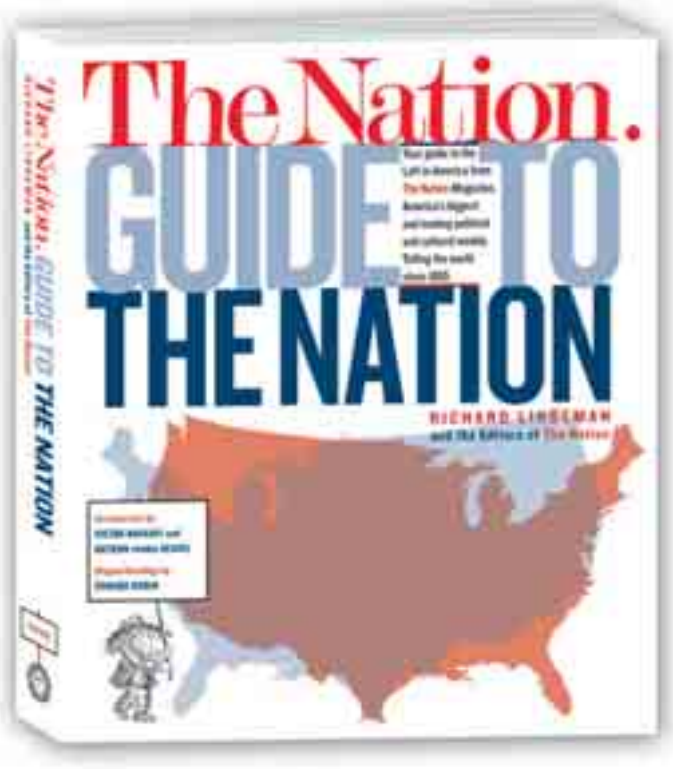

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staking out prophecy yet imbued with melancholic tones.

While World War II rages on—"Newsreels rattle the The Nazi dread" are the opening words—Myrtle McKee, getting her tea leaves read, is told, "You'll be married in a month." McKee's response, "These leaves are crazy," is timed like a punch line, as is her description of the town's remaining males: "Just frail old boys and babies/Talking to teacher in the treble clef." A "young flight sergeant on two weeks' leave" tells the song's ingénue (the songwriter's mother), "Myrtle McKee, no one else will do," thus not only sealing the deal but fulfilling the prophecy of those crazy leaves. But the song's refrain, "She says I'm leaving here/But she don't go," makes it clear that she finds the whole business of domestic life in the Canadian plains unbearable. She speaks of shoveling snow, listening to the radio, which turns into the television, which turns into the maternal advice "Don't have kids when you get grown," advice that the artist simultaneously rejected and fulfilled. Such personal and worldly business could not have found more empathetic accompanists than Hancock and Shorter. Hancock fills in Mitchell's spaces with delicate splashes of harmony. Shorter's melodic solo tells a story of its own, almost a minimalist counterpoint—the same portrait with a few brush strokes. Mitchell, sharing rhythmic space with Hancock's ensemble, holds her voice back, which gives her more breathing room to maximize emotional ambiguity. This song has everything: life and death, love and marriage, war and peace, Nazis and Hiroshima, along with nostalgia and regret, mourning and melancholia.

Besides Herbie chords—and Herbie vamps and Herbie solos—*River: The Joni Letters* features a wide-ranging roster of vocalists. Norah Jones, singing the title track of *Court and Spark* (1974), takes the reverential route, her sultry country mannerisms perhaps shifting the regionalism of the song but certainly missing the meaning. It's a different story with Tina Turner, who sings "Edith and the Kingpin" from *The Hissing of Summer Lawns*, an album that represented Mitchell's hard-won shift from songs of passion and heartbreak to detached yet thrilling third-person narratives. "Edith and the Kingpin" wanders way beyond the expected heartbreak ballads, telling a story—really just a gathering of fragmented scenes—about a Kingpin (a director of chorus girls? a pimp?) and one of his charges. The narrator wonders why Kingpin is holding her hand so tight. Love, or at least lust, is for sale. Yet at the end of the song Edith and Kingpin are unable to take their eyes off each other. "They dare not look away," goes the refrain, soaring in Mitchell's version, sweltering in Turner's. Mitchell's seemed untouchable in its sublime sleaze. Turner's matches it by riding a delicate and appropriately nasty blaxploitation groove: the wah-wah pedal darts in and out while the Herbie chords splash and simmer, giving way to a solo that seems to reinvigorate the sordid tale. No words can describe the way Turner sings "fresh lipstick glistening" or the way Shorter provides a kind of translation of that phrase—subtitles in the language of the man who has called himself Mr. Weird.

On the album's last track, Hancock's piano supports Leonard Cohen's spooky, gravelly spoken-word performance of "The Jungle Line," also from *The Hissing of Summer Lawns*. Herbie's vamp is so melodic, it sounds like a free-standing composition, even as it lays back enough for breathing room—or, in Cohen's case, growling room. Cohen is, along with Dylan, one of the small number of musicians Mitchell calls "pace runners." He has no trouble keeping up, ingesting syllables one by one, maybe even smoking them.

My childhood introduction to Hancock began with "Rockit" at 11—"I could play that," I thought, and I easily did. That was followed, at 13, by the release of the *Round Midnight* soundtrack, an album that earned Hancock an Oscar. I did not know enough to realize that the tenor titan Dexter Gordon sounded imprecise, sad and perhaps poignant for the wrong reasons. I tried to reproduce what I was hearing on the piano, but I couldn't keep up with Hancock's pace. On a moribund "Body and Soul," where the rhythm section sounds like it's keeping Gordon on life support, Hancock, along with guitarist John McLaughlin, settled into the well-known John Coltrane groove—ubiquitous in versions of the standard—with his own ingenious and distinctive accompaniment that added and subtracted notes in just the right places. When he finally soloed, it was delicate and understated.

I became obsessed with the title track, which introduced me to the sounds of Thelonious Monk and Miles Davis. Then, on an album of *Round Midnight* outtakes called *The Other Side of Round Midnight*, released under Gordon's name in 1987, I heard Hancock play a solo piano version of "Round Midnight" that kept me up past dawn. He is lyrical, and then he's titanic. Then he's lyrical again. Then he builds to the greatest and most theatrical cacophony, as if channeling Cecil Taylor for ten seconds. But he didn't. It was either part of Hancock's plan or a momentary, sublime burst of inspiration. What you heard was not what you got. He could give you everything and nothing. He was disappearing in the musical firmament. He was changing colors. ■

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■ Featuring Angela Davis, Manning Marable, Kathleen Cleaver, Bill Fletcher Jr., Gerald Horne, Kimberly Springer, Carole Boyce-Davies, Leith Mullings Charlene Mitchell, Eileen Boris, Frances Fox Piven, Genna-Rae McNeil. March 28. CUNY Graduate Center, New York City. Information and registration: blackwomen2009.org.

The Green-Collar Economy

■ Puffin/*Nation* Creative Citizenship awardee and author-activist Van Jones will speak on "The Green-Collar Economy" in an author interview with Dr. Joe Chuman of the Ethical Cultural Society on Sunday, February 22, 7:30 PM, at The Puffin Foundation, 20 Puffin Way, Teaneck, NJ 07666. Free admission. puffinfoundation.org.

Economy Connection

■ War and global capitalism. Unemployment and recession. Wealth, poverty and inequality. For speakers and resources on these and related topics, contact Economy Connection, a project of the Union for Radical Political Economics. We can provide speakers for formal or informal events sponsored by community groups, unions, high schools, colleges or political organizations. Contact us at soapbox@comcast.net or (201) 792-7459. Join URPE! urpe.org, (413) 577-0806, urpe@labornet.org.

NEW YORK

Identity/Citizenship, Religion/Politics

■ The Center for Ethics at Yeshiva University presents the third annual Scholar-in-Residence Lectures, featuring Kwame Anthony Appiah, Princeton University. "Citizens of the World? Cosmopolitanism and the Ethics of Identity," Wednesday, March 11, 7:30 PM, Yeshiva University Museum, 15 West Sixteenth Street; "Religious Identity as a Challenge to Modern Politics," Thursday, March 12, 6 PM, Cardozo Law School, 55 Fifth Avenue (at Twelfth Street). Free. ASL interpretation and wheelchair access. RSVP: pcassidy@yu.edu or (212) 960-0189. More information: yu.edu/ethics.

Beyond the Ballot: Making the Movement Matter

■ Join Amy Goodman, host of *Democracy Now!* and *Nation* writer Liza Featherstone at a conference on movement building under Barack Obama. Sponsored by the Young Democratic Socialists (YDS). February 28 at the Academy of Environmental Science, 410 East 100th Street, New York City. Registration: ydsusa.org/news/beyond-the-ballot-2009. Contact: yds@dsausa.org or (212) 727-8610. Amy Goodman will speak at 10 AM.

The advertising deadline for Events is every Thursday. Rates: $210 for 50 words; $260 for 75 words, additional words (above 75) $2.00 each. To place an ad, call Amanda at (212) 209-5414.

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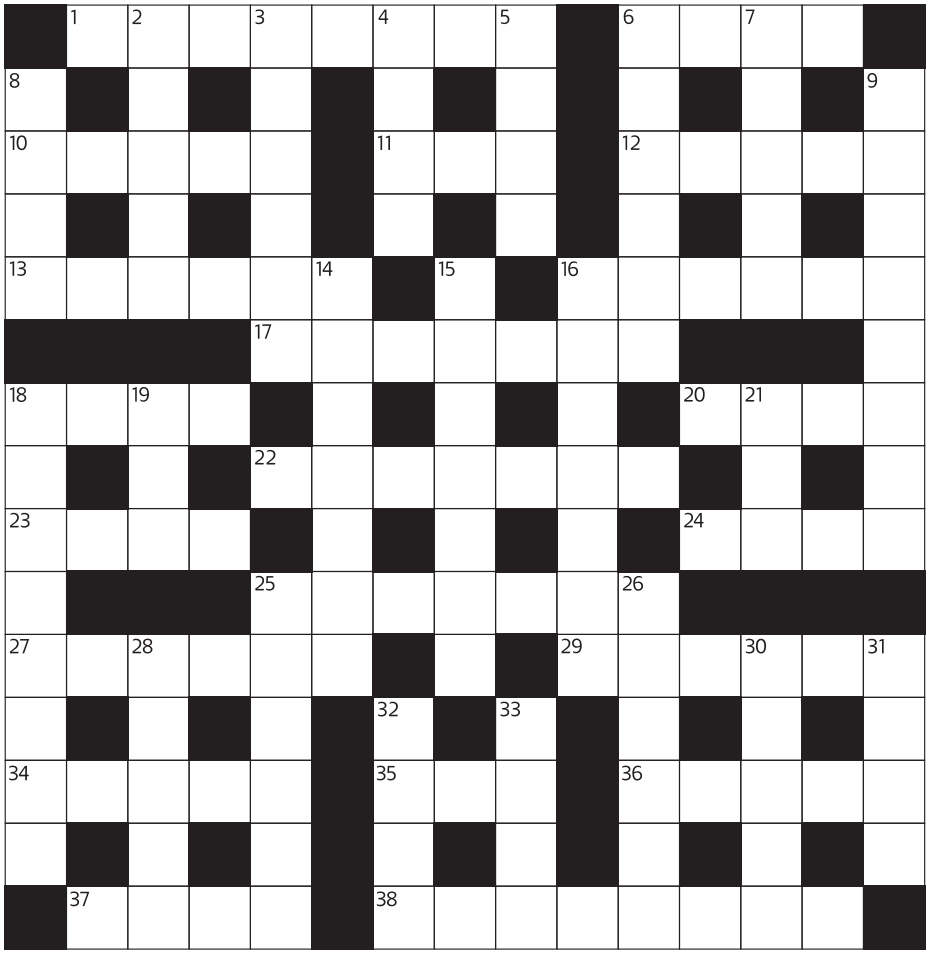
Puzzle No. 3159

FRANK W. LEWIS



ACROSS

1 Walks rather aimlessly, with the wrong pair in the wrong sets. (8)

10, **12**, and **6** Once separated the blue and the gray—recently separated the blue and the red. (5,5,4)

11 See 6 down

13 Take final action at a place of recreation. (6)

16 Wetland to the north with the Spanish plant related to parsley and dill. (6)

17 Fancy wrappings, wherever mine show themselves off. (7)

18 and **20** Right this way to the wrong side? They're funny! (8)

22 Old-fashioned loads—a long way to get directed back, to a point. (7)

23 and **24** Instrumental composition to portray a particular mood. (4,4)

25 Most of Florida, both North and South, makes some unusual money! (7)

27 It's tender, in a sense, to move along with a falsehood. (6)

29 See 6 down

34 Certainly not descriptive of an old smoothie! (5)

35 Exist backward in time. (3)

36 Talk specifically about something like New York? (5)

37 and **38** This is supposed to make you feel comfortable with your equipment. (4-8)

DOWN

2 Takes it easy with certain musical signs. (5)

3 Don't pay attention to part of the sign, or even turn your back! (6)

4 and **5** They're bound to be frothy! (8)

6, **11** and **29** across and **19** down Your address might start with this. (6,3,9)

7 In a slangy way, show contempt for a former president. (5)

8 How to get an Eastern bigwig out of the mire? (4)

9 He is US! (5,3)

14 Possibly let out around a way to peruse things, but you might put your foot down on such! (7)

15 Said to be keepers by some, when the ones who can't win cry. (7)

16 The price to pay a professional, with fish or heather to show a certain amount of sentiment. (7)

18 Class where you find Tom with a bloody end. (8)

19 See 6

21 What to make of a certain judge we saw on TV? It comes to nothing! (3)

25 Chessman who might expect to make a good catch. (6)

26 Possibly spring a saltwater child. (6)

28 Lies next to—like, around however. (5)

30 Long, winding path of song. (5)

31 Just this is scarcely odd! (4)

32 Fancy money—ill gotten from a quiet fairy. (4)

SOLUTION TO PUZZLE NO. 3158

S	T	A	F	F	S	E	R	G	E	A	N	T	S	
P		F		R		A		E		L		A		W
O	F	F	B	E	A	T		N	E	L	U	M	B	O
R		O		E		S		E		I		P		O
T	H	R	O	B	S		P	R	A	N	D	I	A	L
S		D		O		T		O				N		
M		S	L	A	S	H	E	S		M	A	G	O	G
A				R		E		I		O				A
N	O	T	E	D		L	E	T	S	O	U	T		T
		R				O		Y		N		R		H
S	W	A	L	L	O	W	S		A	S	P	I	R	E
H		M		A		D		A		H		P		R
I	M	P	A	S	T	O		N	A	I	R	O	B	I
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Exhausted, But Just Can't Fall Asleep?

New breakthrough will help you fall asleep faster, sleep deeper and awake more refreshed.

"I used to lie in bed for hours and...toss and turn...I would only get 4-5 hours of sleep per night...which just wasn't enough for me. RestAid® has seriously helped me. I can sleep without a problem and sleep soundly all night long. It has improved my life in so many ways."

—Maggie R.

Results not typical.

Sleep is the only way we can recharge our brain and restore important neurotransmitters. Sleep is also the time when the body does most of its repair work including rebuilding and restoring muscle tissue. This is because growth hormones are secreted during sleep, which is essential to rebuilding tissues.

Consequences Of Too Little Sleep

There is a growing body of evidence indicating that chronic sleep deprivation increases risk of early death. In addition, one of the fastest growing areas of research is the link between chronic sleep deprivation and the risk of becoming overweight and obesity. Sleep deprivation can lead to:

- Greater risk of heart disease
- Increased risk of illness
- Thinking impairments, like slower reaction time, memory loss & confusion
- Poor work performance
- Mood problems like depression, anger & irritability
- Risk of unhealthy weight gain & loss

"I had problems sleeping for several years but never wanted to take prescription meds because of possible side effects. I have taken RestAid® every night for over two weeks, and I've never slept better. I fall asleep within a half hour of taking it, and I stay asleep longer. " —Scott M.

Results not typical.

Lack Of Sleep Impacts 1 In 6 Adults

The National Sleep Foundation's Sleep in America polls reveal that over a six year period only about half of adults get a good night's sleep every night. Sleep deficit is frequently related to too much caffeine, nicotine and alcohol. It is also related to stress, long hours at work, night shifts and working on home computers before going to sleep.

New Non-Prescription Breakthrough

Before resorting to expensive prescription sleeping pills with potential negative side effects, try RestAid®. RestAid® is an all-natural sleeping supplement that will help you fall asleep faster, sleep deeper and awake more refreshed.

RestAid® utilizes a Patented Cysteine Milk Peptide® that is clinically proven to break down natural stimulants, toxic substances, alcohol and caffeine – all known to interrupt your sleep cycles. Its delivery system gets the nutrients into the blood stream much quicker than other supplements.

HOW RESTAID WORKS
RestAid® contains the perfect combination of Cysteine Milk Peptide® and Melatonin. Cysteine Milk Peptide® counteracts toxins, stimulants and alcohol which disrupt sleep patterns and Melatonin works naturally to synchronize your body's sleep rhythm.
Cysteine Milk Peptide® – Shown in clinical studies to immediately boost levels of Glutathione, which is a substance produced by the body that is needed to break down toxins such as caffeine and alcohol that disrupt our natural sleep patterns.
Vitamin B12 – is proven to cause an earlier release of Melatonin at night, which resets the sleep-wake cycle.
Melatonin – is a hormone produced by the body that naturally increases sleep efficiency.
Lemon Balm Extract – is a natural sedative that soothes and relaxes your mind and body.
Hops Extract – is used as a natural treatment for tenseness & restless sleep.

Do You Need RestAid® ?
Hard time falling asleep?
Can't sleep through the night?
Concerned about the side effects of sleeping pills?
Consistently wake up tired & foggy?
Feel fatigued in the daytime?

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For years consumers have only had the option of prescription pills or ineffective supplements to be able to get a good night's sleep!

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